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Parliamentary Debates

VOL. XXXIV.

THE
Parliamentary Debates
FROM
THE YEAR
1803
TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

VOL. XXXIV.

COMPRISING THE PERIOD
FROM
THE TWENTY-SIXTH DAY OF APRIL,
TO
THE SECOND DAY OF JULY,
1816.

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1816.

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Parliamentary Debates

During the Fourth Session of the Fifth Parliament of the
United Kingdom of Great Britain and Ireland, ap-
pointed to meet at Westminster, the First Day of
February 1816, in the Fifty-sixth Year of the Reign of
His Majesty King GEORGE the Third. [*Sess.* 1816.

HOUSE OF LORDS.

Friday, April 26, 1816.

SINECURE OFFICES AND GRANTS IN REVERSION.] Earl *Grosvenor* acquainted their lordships with his intention shortly to lay before the House a proposition, founded upon what now unequivocally appeared to be the general sentiment and wish of the country, namely, that a general system of official retrenchment and economy in the public expenditure should be adopted by his majesty's government. It was a subject on which a great deal had been said, and warmly expressed, and the object was now become more than ever necessary, from the embarrassed situation of the country. It was therefore his intention to embody his opinions on these important subjects in a motion, which he should submit to the House on Thursday se'nnight, the object of which would be the suppression of useless offices and sinecure places, and to abolish the practice of grants in reversion. The noble earl concluded by moving, that the lords be summoned for Thursday se'nnight, which was ordered accordingly.

HOUSE OF COMMONS.

Friday, April 26.

EMPLOYMENT OF CHILDREN IN COTTON MILLS.] Sir *James Graham* presented a petition from several spinners and others employed in the cotton manufactories in the city of Carlisle, in the county of Cumberland; "complaining of the evil which has long prevailed of employing children in Cotton Mills for a length of time daily, which is not only evidently injurious to their health, but dangerous in an eminent degree to the morals of the youth of both sexes; and praying the House to adopt such measures as will be the means of putting a stop to such a serious evil, and restrict the labour of children and others in the cotton mills to a period daily which will permit their education, and promote their health and future welfare in society." Although these persons were in a humble class of life, the hon. baronet was sure the House would take as much notice of their petition as of any other that was laid before them. After it had been read, he should move, that it be referred to the committee above stairs, which was then occupied in examining the necessity of adopting some regulations with respect to the hours of labour that ought to be allowed in the cotton factories.

Mr. *Curwen* said, these petitioners were evidently misled by the measure proposed by an hon. baronet (sir Robert Peel) whose design they had certainly mistaken. The hon. baronet wished to regulate the labour of children in cotton factories, but the petitioners, in this case, were all free labourers, who could make their own bargain; but, it appeared, they wished to abridge their hours of employment, and, at the same time, to retain their present wages. If any severe regulation was attempted to be forced on them by their masters, they had only to apply to the magistrate, and the disputed point would be set right. With respect to the measure of the hon. baronet, he doubted very much the soundness of the principle on which such an interference as he contemplated proceeded. It was an imputation on the feelings of parents to suppose, that they would suffer their children to work, to the prejudice of their health; and it was also an imputation on gentlemen at the head of manufactories, to suppose that they would compel children to make excessive exertions.

Sir *Robert Peel*, in answer to what had fallen from Mr. Curwen, said, that where a great many children were assembled together, unless some regulation were devised for their proper government, the most injurious consequences were to be apprehended. The cotton manufacture was now carried on through the medium of machinery; in working which great numbers of children, many of them the offspring of paupers, were employed; and, if they were not to be interfered with, their situation would be most deplorable.

Mr. Serjeant *Onslow* said, the object of the petition was intirely different from the proposition of the hon. baronet. The petitioners were persons of adult age, and they complained of being over-worked; and, although they had the power of making their own bargain, they requested the assistance of the House. But the object of the hon. baronet was, to protect children of tender age, who were not able to protect themselves.

The petition was ordered to be referred to the committee appointed to take into consideration the state of the children employed in the different manufactories of the United Kingdom.

WILTSHIRE PETITION RESPECTING PUBLIC AFFAIRS.] Mr. Methuen presented a petition from several noblemen, clergymen, gentlemen, and freeholders, inhabitants of the county of Wilts; setting forth, "that the petitioners, full of loyalty to their sovereign, and of confidence in the wisdom of parliament, disavow the principles of a petition lately sent from, and purporting to be, the petition of that county, to the House; they bear no part with those who would alienate the affections of the people from the constitutional authorities, happily established among us; they beseech the House to discountenance and resist the efforts of factious men, and to devise and execute all such measures as may tend to perpetuate the prosperity and happiness of this great country."—Ordered to lie on the table.

WOOL AND SEEDS.] Lord *Lascelles* presented a petition, numerously signed by the woollen manufacturers of Leeds, on the subject of the projected alteration in the laws relating to wool, which had been submitted to a committee above stairs. The principal object of the proposed alteration was, to allow the exportation of British wool. On a former occasion he had stated, that he never knew a subject which created greater alarm than this had done. The petitioners expressed their apprehensions of the mischief which an alteration would occasion, and hoped that the existing system would not be suffered to remain.

The Petition, which was signed by a considerable number of cloth merchants, trustees of cloth-halls, and wool-dealers, of Leeds, was then read. The petitioners expressed the greatest alarm, lest the contemplated duty on rape-seed imported, and the permission to export British wool, should be carried into effect, and prayed that no alteration should be made in the existing system.

Lord *Milton* said, he was glad the petition was presented in so full a House, because the subject deserved the most mature consideration. The petitioners, it appeared, were desirous that an additional duty should be placed on the importation of foreign wool. Now, he begged to take that opportunity of protesting in the strongest manner against the principle of relieving any one class of his majesty's subjects at the expense of another. Much of this petition proceeded on a principle, which, he thought, had been exploded. It was founded on the assumption, that the prosperity of this country would best be secured by laying restrictions on its commerce. With respect to the exportation of wool, however he might think abstractedly on that subject, it might, perhaps, under the present circumstances of the country, be right to accede to that part of the prayer of the petition. They were not to follow implicitly the opinions of those persons, but to weigh the whole of the subject maturely and deliberately before they came to a decision.

The petition was referred to the committee on the laws relating to the woollen trade.

CHARGES AGAINST LORD ELLENBOROUGH.] Lord *Cochrane* gave notice that on the 2nd of May he would move, that his first charge against lord Ellenborough should be taken into consideration in a committee of the whole House. He wished to know if there would be any objection urged to his calling witnesses. If there were none, he would now give in a list of those he wished to call in order to substantiate his charge. Should this be opposed, he proposed submitting a motion to the House on the subject on Monday.

The *Speaker* observed, that the noble lord must be aware that before the House could issue orders for the attendance of witnesses, they must adopt the determination to enter into the consideration of the charges. If that were once determined, they would then lend the necessary aid to all the parties in the case.

Lord *Cochrane*, acquiescing in the propriety of this observation, repeated his first notice; but subsequently changed the day from the 2nd to the 3d of May.

CLERK OF THE PLEAS IN IRELAND.] Mr. *Plunkett* was anxious to know, what was the nature of the measure which the right hon. gentleman opposite intended to propose, with reference to the office of clerk of the pleas of the court of exchequer in Ireland? And, whether there were any particular circumstances attending the mode in which that office was filled, which called for parliamentary interference?

Mr. *Peel* said, that the object of the bill he intended to introduce was not to regulate the fees taken in the court of exchequer. The report on the subject of those fees was not yet presented, and the House had not that information before them, which alone could enable him to proceed with alterations. Neither was the bill intended to determine the right to appoint to the office of clerk of the exchequer. A nomination having been made by the chief baron, he did not intend to meddle with it; but he would leave that point to be decided by due course of law. The House, however, having expressed an opinion on the subject of this office—having stated, that, even if the Crown had appointed a person to fill it, a necessity existed for regulating the fees, which, he believed, he under-rated, when he computed their amount to be from 25 to 30,000*l.* per annum—under these circumstances, and knowing it was possible that the ultimate decision on the question of the right of nomination, might be deferred for a year, the bill which he intended to introduce would provide for the impounding of all fees and emoluments derived from the office, until the disputed point was settled.

Mr. *Plunkett* said, that several misrepresentations had gone abroad on this subject. It had been asserted, that the person who now filled the office was a minor; he, however, was authorized by the chief baron of Ireland to state, that the individual appointed was not a minor. With respect to the emoluments, he did not think the amount of the fees was any thing like the sum the right hon. gentleman had stated. He was also authorized to state, that the most ample security would be given (so as to leave the receipt of the profits by the present holder of the situation perfectly unobjectionable) for any fees that might be paid to the clerk of the exchequer. He had been led to take this opportunity of mentioning the subject to the right hon. gentleman, because it did appear to him somewhat novel, in a case where a legal right was involved, —where a person was admitted to the office, on the ground that a legal right to the appointment was vested in a certain quarter—to proceed in the way proposed. The chief baron had not acted alone; he had made out such a *primâ facie* case, as to induce the whole court of exchequer to swear the person nominated by him, their officer. Without going into the ultimate question of right, the office being vacant, and the Crown not being aware of the circumstance, the right of nomination, *ad interim*, was in the chief baron. It might be an office in which the fees ought to be regulated or curtailed; about that he would say nothing—but, whether they were reduced or not, it was by no means a sinecure office. Twenty or thirty clerks were employed in it, from the beginning to the end of the year. It was, he conceived, somewhat novel—where a person was admitted to the situation, on a claim of right—where there was no minority—where full security was offered—that parliament should interfere pending a question of legal discussion, and sequester the fees and emoluments of the office.

Mr. *Peel* said, it was not his intention to determine the right of nomination to this office. He meant not to say, whether it was in the Crown or not; or whether the fees belonged to the Crown or were to be considered public money. It could not be disputed, that the House, granting a sufficient remuneration to the person filling the office, had a right to regulate the fees; and surely if they were empowered to alter the rate of fees, they had an equal right to impound them. He believed, that the privilege of nomination was in the Crown. Here it rested with the chancellor of the exchequer; but, in Ireland, the power had always been exercised by the sovereign. Therefore, as far as precedent went, the question was quite clear. He had the opinion, in writing, of many able lawyers, on this point, who coincided with him in sentiment. The opinion of Mr. Standish O'Grady himself, when attorney-general, was rather favourable to the argument, that the Crown possessed the right of nomination—since the *fiat* of the last patent, when the Crown nominated to the situation, was signed "Standish O'Grady, attorney-general."

Mr. *Plunkett* said, it certainly was in the power of parliament to act, in this case, as they would in that of any other individual. But, if they did so, there were many other offices of a similar nature, in the King's-bench and common pleas in Ireland, which were equally open to parliamentary inquiry and interference. In this country, also, offices of the same kind were to be met with in the King's-bench, common pleas, and exchequer. If, acting from a desire of economy, it was found necessary to interfere with the vested rights of individuals in all those offices, he should be the last man to object to it. But it did not appear to him to be a fair measure of justice (he did not mean to accuse the right hon. gentleman of a wish to act unjustly) to select this particular situation, and to make it the object of parliamentary inquiry.

Mr. *Peel* said, that when he was asked a question on this subject, he had stated, that it was not intended to appoint any person to the office, until the emoluments were known. This showed that no narrow views had occasioned him to adopt his present course.

Sir *John Newport* said, that last year, when a bill for the regulation of this office was brought into parliament, it was suspended on the express understanding, that that and other offices, being then under the consideration of a committee, no steps should be taken till the report of that committee was made. It therefore stood entirely out of the line of any offices in this country.

Mr. *V. Fitzgerald* said, there was another ground which placed this office in a very different situation from any in this country; namely, that the resolution of the House of Commons had prospective application to those which became vacant. It was said, that the chief baron of the court of exchequer in Ireland possessed the same privilege which the chancellor of the exchequer exercised here. But certainly the chief baron could not be considered at the head of the Irish court of exchequer. If he (Mr. Fitzgerald) had not believed the right of nomination to be vested in the Crown, he certainly would not have waived his claim in favour of an inferior judge of that court.

Mr. *L. Foster* said, the amount of the fees, which the principal received, was about 10,000*l.* a-year. Those fees were ancient, legal, and just. It was the right of suitors, paying such fees, to have the business executed without farther expense. But here was the grievance—here arose the necessity of regulating the office. There were a number of persons employed, to whom a trifling sum of 20*l.* or 30*l.* per annum was paid. But they were allowed to remunerate themselves by fees of a very different description from those which the principal swept into his pocket. The amount of the emoluments of the deputy was about 7000*l.* per annum, of which he did not think one shilling was legal [Hear, hear!]. The second deputy had 3000*l.* a-year, made up by fees of exactly the same description. The six clerks helped themselves to fees of the like nature. One of them had 3000*l.*, and several of them 2000*l.* per annum [Hear, hear!]. The right hon. secretary for Ireland had spoken within compass, when he said that the total amount of fees was 30,000*l.* a-year. Let the nomination be in whom it might, parliament, he contended, had a right to interfere, to see that the suitor's business was properly performed, and that he was not charged immoderately: 10,000*l.* per annum would fully pay every individual in the office, and leave an ample allowance for the principal.

Mr. *Abercrombie* said, no man felt more deeply than he did, the necessity of respecting vested interests; but he took that opportunity of observing, that, however the right of nomination to this office might ultimately be decided, the House could not be precluded from regulating it, as they thought proper. He did not suppose his learned friend meant to push his argument to this extent; but lest it should be imagined, that the decision on the disputed point would prevent the House from exercising its constitutional privilege of interference, he thought it necessary to protest against such a doctrine.

Mr. *Plunkett* was surprised that his learned friend could have mistaken him. He did not mean, in the slightest degree, to deny the right of the House to interfere. They certainly had it in their power to inquire into any interest, vested or not. But, supposing this vested right should turn out to be a legal right, he thought it a novel proceeding, before the decision of the question, to sequester the fees of the office.

PETITION OF THE ROMAN CATHOLICS OF IRELAND. Sir *Henry Parnell* rose to present a petition from certain Roman Catholics of Ireland, on behalf of themselves and others of the same persuasion. The petition was agreed to at a general meeting of Roman Catholics, held in Dublin. The meeting was properly summoned, and the proceedings were most regular. No opposition whatever was made to the motion which led to the petition; and, therefore, it might be said to contain the sentiments of the great body of the Roman Catholics of that country. He did not mean to anticipate any thing that might occur on the discussion of this important subject; yet he would say a few words on some points connected with it, on which misrepresentation had gone abroad. He wished, particularly, that the House should learn what the Roman Catholics of Ireland intreated them to do, from an examination of their own expressed sentiments, and not from any misrepresentation of what they were supposed to have said. The petition was very short. It consisted of only two clauses. One contained the ground of their allegations, the other comprised the prayer. The petitioners said, that they were excluded from the benefits of the constitution—and they prayed that honourable House to relieve them from the oppressive grievances of which they complained, and to restore them to the unrestricted enjoyment of the rights of free subjects of the empire. The petition, as he understood from members of the Catholic body with whom he had conversed, was meant to apply only to that civil liberty, of which they were deprived. It left out all allusions to religion, and he hoped it would be considered on the liberal principle of conciliation and concession. There was another petition from another description of persons of the Roman Catholic persuasion, which his right hon friend (Mr. Grattan) would present in a few days. Some persons conceived, that this was a proof of a difference of opinion; and they expressed their belief that divisions of this nature would defeat the application of the petitioners to parliament in the present session. He wished the House to know what this difference really was, because he thought, on examination, it would not be found one of a solid character. The petition now before the House, abstained entirely from the mention of all ecclesiastical arrangement—the other stated, that the petitioners were ready to submit and conform to any regulations, not incompatible with the principles and discipline of their religion. From this it was inferred, that there was a great degree of difference between the parties. But he certainly was bound to say, that the division was one rather of imagination than of real and substantial form. The charge was not well-founded, when it was said, that one party was ready to sacrifice their religion for personal advantages; and, on the other side, it was not correct to suppose, that the persons whose petition he now presented were so exceedingly unreasonable as to do away altogether with measures of temperate and proper regulation. In consequence of circumstances which had occurred, the Catholic body had signified their intention of presenting an address to his royal highness the Prince Regent, praying his royal highness to recommend their case to the consideration of the House. Under these circumstances, it was not his intention to give notice of any motion on the subject. By the proceeding to which he had alluded, the Roman Catholics had placed their case in the hands of his majesty's ministers. He trusted ministers would take advantage of this opportunity, to pay the fullest attention to the subject, for it was their bounden duty to bring the question to a decision. There were many strong reasons why this question had not hitherto been brought forward by ministers. The war and other circumstances might be pleaded in defence of the conduct they had thought proper to adopt. But now, when the country was at peace, and when the state of Ireland, as described by the right hon. secretary, was said to demand a force of 25,000 men, he hoped the noble lord (Castlereagh) and his colleagues would feel that the time was come, when it was proper for his majesty's ministers themselves to undertake the question.

The petition was then read; setting forth, "That the petitioners are excluded from the enjoyment of the free constitution of these realms; and that they are subjected to the endurance of such exclusion, not on account of any imputed deficiency of disposition or of ability in the service of the Crown, or support of the state, but solely on account of their conscientious adherence to that religion which was professed by those princes and patriots of Great Britain, who originated and matured her justly boasted constitution; that the petitioners again implore the House to grant to them the redress of the oppressive grievances of which they so justly complain, and to restore them to the full and unrestricted enjoyment of the rank of free subjects of the empire."

Ordered to lie on the table.

STATE OF IRELAND.] Sir *J. Newport*, in rising to submit to the House a motion on the State of Ireland, to call their attention to its condition both internally and as it respected its connexion with Great Britain, observed, that there was no member of that respectable body which he was then addressing who was more sensible of the infinite importance of the task which he had undertaken, or of the very inadequate ability which he possessed for its execution. Why, then, have I thus obtruded myself when there are within this assembly men who, more competent in every respect to the discharge of this duty, possess talents and research to give due weight to the subject, and can give a more lively colouring to the dreary picture? In this great cause my anxiety and zeal have outrun my ability. I trust, however, though a feeble advocate, I shall state a case which will demand the serious attention of the House, and I have the satisfaction of knowing that there are amongst the auditors those who can amply supply my defects, and in particular my two hon. friends the representatives of the city and university of Dublin. The House will hear, and, I have no doubt, justly appreciate the sentiments of those two distinguished members.

In looking at the question of the state of Ireland, it is impossible to view it without reflecting on the errors in the government of that country at different periods and during a long succession of centuries. I shall do this with reluctance, but it is a duty which I am bound to discharge; and I am confident the assembly which I address are convinced that the state of Ireland cannot be rightly considered, or well understood, without reference to the errors of its governments at several periods, as the sources from whence its misfortunes have arisen. I shall, then, proceed as briefly and as dispassionately as possible, to state the causes which have led to its present condition, but fear I cannot do so without requesting the indulgence of the House in the time which I must necessarily occupy.

It will naturally be asked by an impartial inquirer, why Ireland has not been infinitely more improved by its long connexion during six centuries with England?—why it still has to complain of evils, which were the subject of animadversion in the early periods of that connexion? The answer is obvious—the inference irresistible—it has been *misgoverned.* No other cause can be assigned. History does not afford a single instance of any two countries, so long united under the same government, which have not assimilated in manners, customs, and habits. Ireland is the solitary and melancholy exception to this general rule. It is, then, fit to inquire from whence this has proceeded, and for that purpose to look at the state of Ireland, as it is represented to us in different periods since her first connexion with this country. Great assistance has been fortunately afforded to this research by impartial historians, who have delivered to us unquestionable testimonies on the subject. The first period to which I shall refer, is the commencement of the reign of James 1st, when that excellent work of sir John Davis appeared, tracing, in the most clear and perspicuous manner, the misgovernment of Ireland, during the first four centuries of her connexion with England: in that golden volume the impartial and well-informed author displays, with statesman-like ability, the dreadful state of turbulence and confusion to which she had been consigned, and the repeated refusals to give to the natives the benefits of British law. He adduces from the records upon charges of murder, the question repeatedly put in issue, whether the murdered person were *de Hibernico sanguine*, or of English parentage;—if the former, the murderer was fined five marks; if the latter, he suffered death.* "Our law," says the honest historian, "did neither protect his life nor avenge his death. All good laws made at any time during this epoch were for the English pale only." The Irish must therefore have only looked upon that law, the advantages and blessings of which were denied them, as enacted solely for their oppression. "This, then, I note," says sir John Davis, "that if the English would neither in peace govern them by the law, nor could in war root them out by the sword, must they not needs be pricks in their eyes, and thorns in their sides till the world's end? "There can never be unity and concord in any kingdom but where there is but one king, one allegiance, and one law." I have the more fully adverted to and cited this intelligent and impartial historian, because, much to my surprise, his authority has been elsewhere adduced, to prove that the Irish were always indisposed to pay obedience to the laws. His opinion is directly the reverse, and he concludes his valuable treatise with this his decided declaration, "There is no nation under the sun that doth love equal and impartial justice better than the Irish, or will rest better satisfied with the execution thereof, although it be against themselves, so as they may have the protection and benefit of the law when upon just cause they do desire it."

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* 29 Edw. 1st, at Drogheda—4 Edw. 2d, at Limerick.—Sir J. Davis, 78, 79.

It can be scarcely necessary to remind the House that it is protection not punishment only which the people are entitled to expect from their code of laws, and that it is from their experiencing that protection they look up to the law with affection and regard. It is thus, that in every well-governed state the people become active agents in the due administration of justice, and it is from the practical enjoyment of that blessing Great Britain derives her well ordered security. The Irish people continued deprived generally of the benefits of British law until after the rebellions of O'Neill and Desmond, when James the first undertook the colonization of that large portion of Ireland which had been forfeited:* he carried it on, unfortunately, rather on the principle of garrisoning a hostile country than uniting the people of one island with another, as peaceable and mutually satisfied nations should have been connected. To the war of arms under Elizabeth, shortly after succeeded the war of chicane; of vexatious inquisitions into defective titles; resumption of grants made and paid for upon the most frivolous pretences, and the refusal of what were called the graces (a confirmation of titles by the Crown), after receiving large parliamentary subsidies as the price under sir John Chichester and Strafford. The extreme iniquity of these transactions had disgusted and alienated the body of the people, when those unfortunate disputes arose between the parliament and the Crown which produced the civil wars of England; and Ireland became the victim of the intrigues of agents authorized by, or having the semblance of authority from Charles. Incited to take up arms for the royal cause by Glamorgan, she was involved in all the dreadful calamities which conflicting religious opinions, a deep sense of injuries received, and the artful machinations of a papal nuncio, aided by a bigotted clergy, could draw down upon it. She was plunged into scenes of bloodshed and horror too dreadful to be described. Sir William Petty calculates that in eleven years, from 1641 to 1652, 690,000 perished, "for whose blood somebody must answer to God and to the king." Cromwell, with his exterminating sword, put down for a time the wearied and exhausted combatants for and against the monarchy.

On the Restoration the counsels by which Ireland was governed, exhibit a disgusting picture of the most corrupt and crooked policy. Her interests were sacrificed to the private resentment of the conflicting ministers, or the unfounded prejudices of the English people; and in the striking instance of the Cattle Bill* between 1664 and 1666, the rights and feelings of a whole nation were wantonly sported with by Shaftesbury and Buckingham, to annoy and gall the duke of Ormond. James's bigotted violence committed the country to the furious zeal of Tyrconell, who rekindled the flame and produced its accustomed dreadful results. The Irish Catholics viewed the exiled monarch as an object of attachment, unsuccessfully supported his cause, and again became the objects of vengeance to an army of conquerors.

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* 2,800,000 Irish acres were forfeited in Ulster by the rebellion of O'Neill in the reign of Elizabeth, and 574,000 were forfeited in Munster by the rebellion of Desmond.

* For the disgusting intrigues respecting this bill, see Carte's Life of the Duke of Ormond.

With the Revolution came honour, glory, and independence to Britain; but to Ireland no such bright prospects! The victors treated those whom they subdued, and those who aided them in the conquest with the same revolting indifference. The era which succeeded to the revolution was in Ireland marked by the sordid characters of illiberal exclusion and monopoly within and without,—its interior concerns abandoned to the exercise of a vindictive provincial tyranny by its English masters, who covenanted for the surrender of its external and commercial concerns to British monopoly—a barter disgraceful to both countries, and involving the compleat sacrifice of national and commercial rights.* The Protestant interest, as it was then called, became the object to which every other consideration gave way, and every measure which was alleged to contribute to it, secured by that allegation the unqualified support of the Irish parliament, whilst they passively acquiesced in the destruction of their woollen manufactures. Then arose that code of penal law which has been designated by the chancellor, lord Camden, as "a monstrous monument of folly and oppression, which was sufficient to demoralize the country, and which had completely fulfilled that purpose." In Primate Boulter's Letters, we find in every page from one of her governors, evidence of the corrupt and petty artifices by which the system was supported. In the case of Wood's halfpence, he says, "the measure was much to be lamented, as it generally interested the people, had extinguished their divisions, and tended to unite the whole country." In a letter to lord Carteret, he says, "that although to prevent a recurrence of scarcity approaching to famine, he had forwarded a bill obliging the occupant of lands to plough five acres in every hundred occupied, yet it does not encourage tillage by allowing any bounty to exporters which might clash with British interests." The act was passed in the year 1729, but was inefficacious; for during forty years, from 1732, with the exception of one year, the import of corn was constant,—it was probably counteracted by that monstrous vote of the House of Commons of 1735, which stripped the clergy of Ireland of a large proportion of their provision, and declared the tithe of agistment to be "grievous, burthensome, and injurious to the Protestant interest." In this manner did these champions of Protestantism assert the rights of a Protestant church. From this vote, and the consequently insufficient provision of the clergy, arose the practice of uniting parishes, so as to deprive of spiritual assistance from their pastors, the Protestant population during that period and since the conversion of pasturage into tillage through so great an extent of the country increasing in an enormous and disproportionate degree, the incomes of the parochial clergy, resident and non-resident.

The temper with which the Irish parliament legislated, was manifested even in the least important of their proceedings. When a petition was presented complaining that a Roman Catholic coal-merchant employed porters of his own persuasion, it was referred by the House of Commons to the committee of grievances. Was it, then, surprising that a parliament thus completely severing its interests from those of the body of the people, should possess no solid strength, or that the English minister should be encouraged by that disunion to attempt a measure which, if successful, would have sealed the death-warrant of parliaments in Ireland?—I allude to the proposition of voting the supplies for twenty-one years, which failed only by a single vote. The parliament of George 2nd sat thirty-three years, outliving all connexion with the constituent body, and possessing but one solitary virtue, that of economy: it paid off the debt of the country, and accumulated a surplus in the exchequer of 200,000*l.* in the year 1753, both rescued from the factions who contended for its possession, and transferred to England by a king's letter. It is a most extraordinary effect on the human mind of this provincial misrule grounded on what was termed Protestant ascendancy, that Dean Swift, calling himself and looked up to as an Irish patriot, expressed himself delighted with the prospect of beggary being the certain lot of the Irish Roman Catholics, and more than insinuates a wish that the Protestant Dissenters were in the same state. Henry Boyle, the first earl of Shannon, too, who, as one of the lords justices, was in the government of Ireland more than twenty-five years, in a Sketch of Ireland, written in 1747, states a principal cause why so great and fruitful a country produced so little, and advanced so slowly towards improvement to be the penal code, "discouraging the labour and industry of the Papists, though three-fourths of the arts, industry, and labour of the country must be necessarily carried on by their hands," and adds, "until some happy temper can be fallen upon so as to make our apprehensions from the Papists consist with our interest to employ them, Ireland can advance but slowly in improvement." And yet to measures of this nature Mr. Boyle could not reconcile himself! So difficult is it for men of even superior minds to disengage themselves from the fetters of prejudice and bigotry! I may by the way add, it appears from this paper, that nearly every fourth year from the Revolution had been a year of scarcity, and in that interval nearly five millions were paid for imported corn and flour to feed the inhabitants of that fertile island.

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* "The first of the penal laws being made with so general a satisfaction of the ruling parliamentary party, as the chief governors found that such things were extremely acceptable to the leading people in that country, they were willing enough to gratify them with the ruin of their fellow citizens. They were not sorry to divert their attention from other inquiries, and to keep them fixed to this, as if this had been the only real object of their national politics; and for many years there was not a speech from the throne, which did not, with great appearance of seriousness, recommend the passing of such laws, until they have by degrees grown to be the most considerable head in the Irish Statute Book."—See Tracts on the Popery Laws. Burke's Works, vol. ix, p. 395.

The septennial bill, passed in 1767, secured to a certain extent the connexion between the electors and elected: with this exception, Ireland felt little change in her situation till the year 1778. In that year the reverses of the American war left Ireland without a military force—and here commenced the era of her glory. She was told to protect herself, and she did so. She protected herself from her enemies abroad, and from her enemies at home. The gallantry, the concord, and the heroism of her sons placed her in a situation to command respect, and she was respected—till she respected herself Britain did not respect her—Ireland then first took her station amongst the nations of the earth, when it ceased to be a divided nation. I discharge a debt of justice due to him who sits beside me (Mr. Grattan)—to him Ireland owes much; and to whom she has in return testified her ardent gratitude; his exertions awakened us to a sense of our rights—and hence the brightest page in our annals of glory. Having asserted her independence, little was wanting to its continuance—but here she failed! Those who had gained a victory over others did not possess sufficient virtue to extend that conquest to themselves. The Protestant population, the leaders in this struggle, had not public spirit enough to share the fruits of victory with the great body of the people, and therefore they fell. I trust their fate will afford a salutary lesson to every country, and impress on them the conviction that, by complete consolidation of interests alone, can they avoid a similar calamity. I ought to add (what, indeed, is most deserving the attention of the House), during this triumph of Ireland in the absence of military force, and whilst she thus nobly exerted herself to take her rank amongst the nations, the laws were better obeyed than during any period of her history. Every one lent his willing aid to enforce their execution. What a great lesson to be drawn from this. Place a country in a state of concord with regard to itself, and the laws will be obeyed; no longer seek to govern by disunion or by sacrificing one class of the community, and the laws will be obeyed. Why has not this memorable lesson of the weakness of that policy which would exclude from the full benefits of a free constitution the great body of the people, produced its full effect? Why has not Ireland resumed that happy situation? Why is not the spirit of her government assimilated to that of England? Here every man, however humble his condition, whatever his political tenets, feels an interest in the laws, and contributes to their execution, for they efficaciously protect him, and neither rank nor power can violate them with impunity.

I cannot draw such a happy picture of the state of Ireland. This brilliant period of her history was transient; those who had been borne down by the unanimity and spirit of the people, soon commenced their efforts to weaken the principles which they could not resist, and the war against independence was renewed, which sought by disunion to degrade the people. Addresses from grand juries, bigotted and inflammatory; whatever could revive dormant animosities and cherish forgotten jealousies was urged with active and too successful industry by the satellites of an old and corrupt monopoly of power. I wish to speak of these times with as much moderation and temper as possible; but I cannot trace the lamentable effects to their causes without stating my opinions to the House unreservedly; and whether I speak of the dead or living will anxiously abstain from crimination where public duty will allow. I come to the act of 1793—an act of paramount importance,—but I will not blend the vital subject of Catholic emancipation with this discussion; it well deserves, and I doubt not will receive, the undivided attention of the House. Thus much, however, I will here say of that act: it is perfectly certain that Mr. Pitt and lord Melville would have extended its provisions much farther could they have obtained the concurrence of the Irish government—but they worked with unwilling instruments. How otherwise account for the anomalous nature of that statute, and the capriciousness of its relaxation and exclusion? Why the road to distinction closed totally to the bar, and opened largely to the army? Can this be traced to any other cause than the powerful influence of a great legal character, who, inimical to all concession, claimed that, at least, the honours of his own profession should form an exception?

Subsequent unhappy changes dashed the cup from the lips of the people when they were about to taste it, and led to all the dreadful consequences which ensued. Over that calamitous period, I would, as bound in duty, draw a veil, and proceed to the legislative union under which we are here assembled. The pledge necessarily, and indeed specifically involved in that measure was, that of effectual inquiry into, and redress of the evils affecting Ireland,—redress which it was alleged an imperial parliament was more competent to afford and likely to extend than a local legislature. On what other principle could any but the most corrupt have acceded to such a compact, involving the surrender of national independence? I might on this head refer with safety to the noble lord in the blue ribbon. Look to the records of parliament from the union, and see how few the acts of grace or favour to Ireland! then turn to the page of history and count the sacrifices she has made in finance, in exertions, and in blood! She has fought by your side through every danger to which you have been exposed, with a gallantry and a self-devotion never surpassed by any nation. She has contributed, too, from her pecuniary resources, far beyond her due proportion. Sixty-seven millions have been paid into the exchequer by taxes since the union, at the annual rate of four millions and a half, whilst in the fifteen preceding years her taxes did not exceed one million and a half. She has, therefore, trebled her taxation, and made exertions exceeding her strength. In proof of this assertion, look to the various measures proposed by her finance ministers. Had they answered the estimates of their authors, the taxation of Ireland would now have approached ten millions, instead of five and a half. They overrated the ability of their country. The debt, too, has swelled in this period from 34 to nearly 150 millions. If Ireland has thus fulfilled her part of the contract,—if her money and her blood have been thus largely contributed to her utmost means, may she not claim, in return from the imperial parliament, a completion of the compact—that some inquiry shall be instituted into her state—that a country, possessing six millions of inhabitants, an active and an intelligent race of men, placed in the most temperate climate of the globe, with every blessing of nature largely poured out on it, may no longer remain a source of alarm to the empire, but become a pillar of strength?—Why is this? Can the tranquillity of Ireland be less an object than that of any portion of Great Britain? Will you—can you—continue to rest for security in Ireland on a garrison of 25,000 men? I acquiesced in that measure, expressly as one of temporary necessity, to put down outrage and crime, but not permanent. Were such a system permanent, not 25,000 but 50, not 50 but 100,000 men would be insufficient to keep down Ireland. They have fought in the ranks with you, and you know their gallantry and their spirit such as would never brook this undeserved treatment. It is the duty of parliament to take care their blood has not been shed in vain; and that as they have shared with you in your triumphs, they shall share the fruits of conquest—internal tranquillity and peace. They claim it from your justice—not as a favour, but a right.

What has been the history of the statute book since the union, but a catalogue of Habeas Corpus suspensions and insurrection acts. On one head, indeed, the imperial parliament has made an exception, and done ample justice to the expectations of Ireland—I mean the relaxation of commercial jealousy; and with that relaxation have grown those resources which she has largely poured forth for common defence.—The noble lord (Castlereagh) must know the danger of delay, and feel that many desirable arrangements might heretofore have been more efficacious than even at present;—each year's delay diminishes their efficacy, and I will add their safety.—And here let me ask, why are Orange associations still suffered to divide the land? Why still permitted to agitate the public mind by the insulting badges of exclusive loyalty and party triumph? When their introduction here was attempted, the noble lord, the member for Liverpool, all sides of the House proclaimed their illegality and reprobated the attempt. Would Scotland now be tranquil if the victory of Culloden had been annually celebrated in Edinburgh? Much is to be forgiven on all sides, and the veil, the salutary veil of oblivion should not be drawn aside by every rash intruder who would mark the great body of the people as disaffected to the state. Illicit distillation is a source of much evil to Ireland, demoralizing her people, and encroaching on her scanty resources of taxation. It is, as I fear, too much protected by individuals of rank and power, and largely practised by the professors of exclusive loyalty. No man, however high in station, should be allowed to protect his dependents in a course of disobedience to law, nor should alleged loyalty secure any class of the community from sharing the burthens of the state. Parliament has indeed contributed to the extension of this ruinous course, by that monstrous act which, remitting penalties incurred to highly offending districts, sanctioned that shocking principle, that in the enormous extent of his offences the delinquent should find his best security. The office of high sheriff, here accounted burthensome, is in Ireland a cause of political contest, and the appointment and means of attaching powerful individuals to the government of the day. It has been strongly, but I believe truly, said in another place that this office in its execution is radically vicious—so vicious, said a noble lord, that justice is poisoned at its source.—To the subject of grand juries I will not advert; it is in a train of exact and, I hope, effectual inquiry.—The tithe system too, well deserves minute investigation, as largely contributing to the disorganization of Ireland. Another evil afflicts us, to which the executive government can alone apply a remedy, by discountenancing that course which it has too often pursued. Those then who traduce and vilify the great body of their countrymen, should feel that such conduct can never lead to power or emolument.

If I am now asked why at an earlier period I have not proposed to the House a similar inquiry, I answer, in 1804 I urged it ineffectually. From that time the country has been engaged in unremitted and extended warfare; but to some of the labours of 1806, the statute book will bear testimony. I know no danger so great as that of discontented subjects. We are now arrived at a season of profound tranquillity; and if the House shall decide that no attempt shall be made to trace to their source those evils which afflict Ireland, and endanger the empire, it will be my duty to bow to their decision, but I shall then deeply deplore the day which connected Ireland to this country by legislative union. Never has such a favourable moment presented itself,—and with unfeigned sorrow should I see it pass away unprofitably. I am astonished that the ministers who have, by the disturbed state of Ireland, justified their claim for extended military force, do not themselves propose remedial measures: one and one only, has been adverted to—education. Of its superior efficacy, no man can think more highly than I do, as providing largely for future amelioration. But can we look to this as a remedy for existing evils? I may be permitted, too, to say that if by education be intended the capacity of reading and writing, I believe the Irish are not an uneducated people; certainly not as compared with the people of England: the reports before the House prove this. Mr. Newnham, in a work containing much useful information, states, from actual inquiry, that in a district comprising about one half of the county of Cork, there were upwards of 300 unendowed schools, educating not less than 22,000 children; and here I have to instance conduct highly honourable to a Roman Catholic clergyman, Mr. O'Brien of Doneraile, who having established a Catholic school, and endowed it with one half of his private property, offered to subscribe to the establishment of a Protestant school in that parish, as largely, in proportion to his means, as any other parishioner;—this I consider as real liberality, without any object but the common good;

and I would say to the clergy of every persuasion through the empire, "Go and do thou likewise." Education can however be no cure for the political evils of Ireland, unless accompanied by radical reform of the present vicious system;—it has grown out of the accumulated misgovernment of many centuries, and it is the bounden duty of parliament to institute exact inquiry into the causes and effects of that system—to search it to the bottom, and neither to be allured nor deterred from the path of duty by prejudice or power. No class of men, great or small, should be allowed to impede reform; but with a steady and firm hand, parliament should carry through the measures necessary to the welfare and the security of the state. I move you,

"That an humble Address be presented to his royal highness the Prince Regent, humbly to represent, that the necessity of providing an army of 25,000 men in time of profound peace, to secure the internal tranquillity of Ireland, obliges us to consider the state of that great, valuable, and interesting portion of the united kingdom, as most distressing and afflicting to the legislature, and dangerous in an extreme degree to the well-being of the empire:

"That we feel ourselves imperiously called upon by a sense of public duty, to direct to the consideration of this important subject our earnest and undivided attention:

"That we therefore pray his royal highness may be pleased to order, that there be laid before us, with convenient speed, such documents as may put us fully in possession of the extent and nature of the evils which demand the temporary application of this great military force, and may enable us to proceed with active and unceasing energy to their complete investigation:

"That we have armed the executive government, with all the means requisite to suppress tumult, and punish outrage, and we would now apply all our powers to a deliberate examination of the existing evils, and the causes from whence they originate, as the surest foundation for our affording to his royal highness the cordial and active concurrence of this House in such measures as shall be proposed for their effectual removal, and for adopting such other wholesome and efficacious remedies, formed in the spirit of British constitutional legislation, as may appear to our dispassionate judgment, most adequate to effect the extirpation of those evils, with which Ireland is afflicted, and to rescue that fair portion of the empire, from its present depression and disorganization."

The motion having been read from the chair,

Mr. *Peel* rose. He said, he trusted that the House, when they considered the important nature of the discussion then before them, and the necessity which he should be under of offering explanations upon the character and intentions of that government with which he had been connected, as well as other opinions more peculiarly connected with himself, would do him the justice to believe that he could not approach the subject without considerable anxiety. In the first place, he wished to render his acknowledgment to the right hon. baronet for the tone and temper of moderation which he had generally displayed. He said generally, for with one or two exceptions he had carefully and judiciously avoided mixing up other matters relating to the affairs of Ireland, with that peculiar view of her present condition, which it was the proposed object of the right hon. baronet's motion to bring under the consideration of the House. The right hon. baronet had abstained from examining the conduct of this or that administration, and had most wisely confined his attention to the general question of the distresses and grievances which agitated Ireland. In adopting that course, he thought the right hon. baronet had conferred a substantial benefit upon the country. It had been too much the custom, in discussing the interests of Ireland, to mingle them with considerations of party, a proceeding which he must always deprecate, for though there might be vicissitudes of defeat on one side, and triumph on the other, yet many bad passions were arrayed on both, and the consequences were most unfortunate for the country, which was the scene of such political contentions. Nothing but desolation and disaster could result from them. It was therefore his intention to follow the example which the right hon. baronet had so laudably set.

With respect to the motion of the right hon. baronet, he thought he was rather precipitate in the conclusions which he drew as to its probable reception, and indeed he heard those inferences with considerable surprise, when he seemed to suppose that all inquiry would be refused. He certainly expressed that surprise, because he thought the right hon. baronet had abandoned those intentions which he previously communicated to him (Mr. Peel) with so much candour and politeness, of merely moving an address to the throne, calling for information respecting the causes which had produced the present disturbed state of Ireland. Before he ventured to condemn the course which he presumed his majesty's ministers would pursue, he ought, at least, to have told the nature of the inquiry he intended to propose; whether he should move for a public or a select committee of that House. With certain parts of the address proposed by the right hon. baronet, he had the satisfaction of saying that it was his intention to concur. It was but reasonable that the House, after having voted 25,000 men for the service of Ireland, should not rest satisfied as to the necessity of that force, upon the mere assertion of any individual. He certainly would not avail himself of the technical formality that the House having come to that vote, they ought to have inquired before they sanctioned the measure. It would be an unworthy subterfuge on his part, and but a poor return for that liberality and confidence which had induced them to assent to the proposition, in the first instance, without calling for documents [Hear, hear!]. The first part of the address went merely to the expression of regret, on the part of the House, at that state of disturbance and outrage which rendered it necessary, in a time of peace, to call for the temporary application of a military force. In that part of it he was perfectly ready to concur: nor did he think the House could possibly refuse to accede to the other part also, which called for information as to the nature and extent of the disturbances which prevailed. For his part, he was ready to afford that information; and it would be best afforded by producing those records from courts of justice in which commitments and convictions had taken place. Much useful information, he was persuaded, would be derived from those documents. He could not, however, help thinking, that if the right hon. baronet thought it necessary to call for such information, it was somewhat precipitate in him to pledge the House to a general inquiry without explaining the sort of inquiry he desired to institute,—how it was to be conducted,—and by whom. Did he intend to propose a committee of the whole House, or did he mean to refer that important question to a select committee? Would he wish to transfer to the latter an inquiry into the operation of the laws affecting the Roman Catholics,—a question which had been, session after session, under the consideration of the House, and which he himself admitted to be of so much importance as a separate subject of inquiry, that he had abstained from all mention of it in the course of his speech? These were points upon which, in his opinion, the right hon. baronet ought to have afforded some explanation. When the information which he (Mr. Peel) intended to move for should be produced, it would then be competent for the House to decide what course ought to be pursued. He did not wish to discourage all expectation of its being possible to apply some remedy to the evils which afflicted Ireland. But, if he believed with the right hon. baronet, that the present state of tumult and disorder had grown out of the abuses and errors of six hundred years of mismanagement; if, by quotations from the writings of Dean Swift, he were to attempt to show the poverty, wretchedness, and cowardice of the Irish; if he undertook to prove from the operation of laws enacted before the reign of James 1st, that the affections of the people had been incessantly and violently alienated; if he undertook to show all those calamities, then, indeed, he could not much encourage the hopes of the right hon. baronet. Without, however, going so far as that, he was still inclined to think that the difficulties and evils which encompassed Ireland, formed a Gordian knot which could not be cut, and which only the gradual lapse of time could unravel.

Before he followed the right hon. baronet through all the details into which he had entered, the House would probably expect from him a statement of what was the present condition of Ireland. Generally speaking, the north of Ireland was tranquil. No disturbances prevailed there, except what arose from distillation, and the consequent opposition to the revenue laws in certain districts. Those, however, were neither serious nor alarming. The extreme west of Ireland, also the counties of Mayo, Galway, and Carlow, were comparatively tranquil. The same might be said of the south of Ireland, of Cork, Wexford, &c. The east of Ireland was likewise generally tranquil. He meant that in those counties no applications had been made to government for extraordinary police. The counties in which disturbances actually prevailed were Tipperary, King's County, Westmeath, and Limerick. The magistrates of the King's county had requested the application of the insurrection act; but they had since petitioned for its removal, asserting that tranquillity was perfectly restored. In Westmeath and Limerick, a considerable improvement had taken place, but the insurrection act was still in force. Since he last addressed the House, the magistrates of the county of Louth and county of Cavan, had petitioned the government of Ireland for the application, not of the insurrection act, but of the extraordinary police act. Such was the general state of Ireland at the present moment. There was nothing more difficult than to give the House a character of the precise nature of the disturbances which now agitated Ireland. In former periods of the history of that country, tumults and outrage had subsisted; but they were generally to be traced to small and comparatively unimportant causes. Particular and local grievances, personal animosities, or hereditary feuds, constituted the principal sources of them. At other times, grievances of a more distinct and positive nature were alleged, such as the high price of land, for example, and then the professed object of the combinations was to lower it. But the disturbances which now prevailed had no precise or definite cause. They seemed to be the effect of a general confederacy in crime—a comprehensive conspiracy in guilt—a systematic opposition to all laws and municipal institutions. The records of the courts of justice would show such a settled and uniform system of guilt, such monstrous and horrible perjuries, as could not, he believed, be found in the annals of any country on the face of the globe, whether civilised or uncivilised. He was far from meaning to say that those dreadful offences arose from the generally malignant or depraved character of the lower orders. In different counties different appearances were presented. He had himself been in some, and it was impossible to find any where men more tractable, more obedient to the laws, or more disposed to pay all due deference to their superiors. He was ready to declare that it was impossible to see them without admiring many of their qualities. He believed, indeed, that the character of the Irish people had been variously misrepresented, in general, not from any deliberate design, but because, in fact, they were often presented under different and singular aspects. From his observation of them, he believed they possessed great fidelity; in their dealings with each other great honesty; from their early marriages, they were in general very chaste; and be it told to their honour, that certain crimes which disgraced and degraded more civilised countries were utterly unknown to them. He was even told that the Irish language did not possess a name by which they could be designated. But in those parts of Ireland, especially in the county of Tipperary, their depravity was shocking. If any one should urge that he overstated it, he was prepared to confute him by irrefragable documents. He did not speak from vague and ambiguous rumours. What said the records of the courts of justice in that county? What would be the evidence of the twelve men impannelled to try the midnight murderers of an invaluable magistrate belonging to that county? If he required proof for what he had asserted, he need go no further. If any one would take the trouble to peruse the minutes of that trial, they would be able to form a thorough idea of the character of the people. They would see their extraordinary fidelity to each other in a bad cause—the facilities they afforded to escape punishment—the readiness they manifested to redress the injuries offered to any of their party—the difficulty of bringing home conviction to the guilty, and the detestation in which every one was held who at all contributed, or was instrumental in giving effect to the laws against them. With respect to the murder of that magistrate, he was afraid it was too clearly established, from the records of the court of justice, that it had been planned several weeks before it was carried into execution. The magistrate upon whom the foul deed was committed, was a most amiable man. He spoke only from the opinions of others, as he had not the least knowledge of him personally. He was kind, indulgent, and a ready friend to the poor; but at the same time he was a most determined enemy to that terrible system of combination which prevailed. In the neighbourhood of his dwelling, a house had been burned down, because the inhabitant of that house had taken land at higher rent than was thought a proper equivalent by those misguided men. The magistrate, in consequence, exerted himself to discover the offenders, and by his indefatigable efforts six of them were apprehended. Upon this, the remainder determined to murder him. On the day fixed for the atrocious act, there were no less than four different parties stationed on different roads waiting for his approach. The murder was committed at some distance from Cashel, and the particulars which he related were derived from a gentleman who happened to be travelling that road at the time, and resembling the magistrate (Mr. Baker) in person, narrowly escaped from falling a sacrifice. Information was conveyed by signals from one party to another. The gentleman to whom he alluded saw several persons on the tops of the houses and hay-ricks, waiting for the fatal catastrophe. When the shot was fired, loud cheers were uttered by those who were thus waiting, and then they all retreated. The plan, therefore, had evidently been determined upon months before it was put in execution; and although no less than 13,000*l.* were offered as a reward for apprehending the murderers, by the government and by the resident gentry in the county, he believed no evidence whatever was obtained as the result of that offer; such was their fidelity in a bad cause, and such was the abominable system of confederacy upon which they acted. Not a person was found to come forward and make a voluntary disclosure. He would mention one conclusive proof of the feelings by which they were actuated. One of the murderers who was apprehended, and afterwards hanged for his crime, when in prison, expressed a desire to disclose some particulars. His life was offered as the promised reward for his confession. He accordingly communicated a part; but he afterwards retracted, at the instigation of his wife, who went on her knees to him in the prison, and implored him to be executed rather than divulge the secret [A laugh, and hear, hear!]. The House might probably smile at the conjugal affection of the woman, but he could assure them, there was as much attachment between the husband and the wife as could possibly exist between two persons, and the concern which she felt was, lest her husband should forfeit his character and respectability by betraying his friends. He actually retracted, in consequence of the persuasions of his wife, and was accordingly executed.

Having thus admitted those melancholy facts, he now came to the statements which had been made by the right hon. baronet. The causes of the evils which afflicted Ireland were complicated in no common degree. They might, he was willing to allow, be traced back to a very remote period in some respects. Sir John Davis, in that invaluable Treatise on the State of Ireland, which the right hon. baronet had justly denominated a Golden Book, stated that the evils originated in the impolicy of the first conquest of Ireland. That conquest was not undertaken by a sovereign at the head of an army, but was accomplished by instalments, if he might so speak. Different parties of adventurers went over to Ireland, subdued detached portions of territory, and as they progressively made those acquisitions, they gradually assumed a paramount authority over the native inhabitants. The evils of that kind of conquest were sufficiently proved by the history of Ireland. Other writers also had pointed out the defects of the system adopted towards Ireland. An impartial one (he meant Spencer, who wrote in the reign of queen Elizabeth) had forcibly stated the impolicy of excluding Ireland from the benefits of the English law. In fact, there were a hundred customs which then existed, though but now operating, which gradually tended to form the character of the people. Sir John Davis observed, that by the ancient laws of the country murder was compounded for by a fine, a rape for a rape, and a robbery for a robbery. When it was proposed by the governor of Ireland to send a sheriff into the county of Fermanagh, the chieftain of that district said the sheriff should be welcome, but desired to know the price which was set upon his head, in order that if he should be killed he might know what fine to impose. Such was the deplorable state of the country at that time: but sir John Davis allowed that more had been done for the benefit of Ireland during the reign of James 1st, than during the whole of the preceding four hundred years. Certainly, many of the causes indicated by sir John Davis and others, as contributing to the injury of Ireland at that time, had ceased to operate: but others had arisen of a different, though not less important character. The animosities of families, the irritation arising from confiscations, and other similar causes, were of a description which no legislative interference could reach. Time alone, the prevalence of a kind and paternal system of government, and the extension of education, were the remedies which must be chiefly relied upon. At a later period of the history of Ireland, he was willing to admit the impolicy of imposing commercial restrictions; an impolicy of which, he believed, we were even now reaping all the bitter fruits [Hear, hear!]. By those restrictions we had curtailed the capital of Ireland, and lessened her means of industry; and, paradoxical as it might appear, an increase of population had arisen from those effects. He wished to explain in what manner he conceived that increased population to have taken place. The consequence of the bad policy in imposing the commercial restrictions was, a deprivation to Ireland of a market for her produce, which made land so cheap, that the owners of it were enabled to employ any number of hands in cultivating it. They alloted small portions of it to individuals; and it became the more productive because all their labour was applied to those small portions. According to the opinion of the most experienced agriculturists, the same quantity of land, so cultivated, would produce nearly three times the quantum of human subsistence (he meant potatoes, the staple food of the Irish peasant), which it would produce of any other kind of subsistence. Hence, the immediate means of supporting a family were more within the reach of the poorer classes of Ireland than of similar classes in this country. Whatever inquiries might be made into the condition of the Irish people, it would be material to ascertain their state as to the supply of food. He had attempted to prosecute that inquiry, and he confined his attempts to those districts which were disturbed, with a view to discover whether there was any connexion between that and the causes of the disturbance. He believed the poor of Ireland would be found to be in this condition. Almost all of them rented small farms, which they took from the farmer upon certain conditions. Their rent was partly paid by labour. Thus, if a man gave four guineas an acre for his farm, he worked for his landlord at 10*d.* a day: if he paid three guineas, he received 8*d.* That 10*d.*, however, commanded a greater proportion of subsistence in the article of food which constituted the sole diet of the Irish peasant, than the same sum would produce in England. He was perfectly aware that the food of the poor in Ireland was inferior, and he sincerely wished that it were possible to find any means of giving him better, and a better place in which to enjoy it. Nothing would be more calculated to seduce them from idle and vicious habits, and to inspire a relish for domestic comforts.

He should now proceed to examine some of those causes which the right hon. baronet appeared to think still existed, and for which he also seemed to think remedies might be adopted. He could assure him that he felt the strongest disposition to employ any remedies which might be suggested, and which should appear capable of a really practical application. First, as to the appointment of sheriffs, on which a considerable stress had been laid by the right hon. baronet. He was perfectly ready to admit, that that was a point in which material and essential information might be introduced. The subject, however, had been fully and deliberately discussed in a select committee, which sat during last session for the purpose of inquiring into grand jury presentments. He held in his hand the evidence of that committee, and according to that evidence it appeared, that some persons saw many evils in the present mode of appointing the sheriffs, and others thought it the best that could be adopted. For himself, though he certainly thought the mode of appointing them might be improved, yet the practical evils of the existing one was not, in his opinion, so great as was imagined. The persons who were examined before that committee were many of them members of that House—lord Jocelyn, sir John Newport, sir Henry Parnell, the chancellor of the exchequer for Ireland, colonel Crosbie, and others. The evidence they gave established the existence of many evils, but it was not so conclusively against the present system of appointing sheriffs as might be imagined. It was generally stated that the evil was not one of the present day. It had long subsisted. But certainly he should be ashamed of himself if he felt any reluctance to change a practice merely because the acquiescence in it on the part of the government, of which he formed a part, might be involved in some degree of censure. It should be remembered, however, when they were drawing a distinction between the magistracy of Ireland and that of England, how great the difference was between the state of society in the two countries. With respect to the nomination of sheriffs, the ancient practice was different from the modern. The judges of the assize required from the outgoing sheriff the names of three persons who were thought most fit to serve the office. These names were afterwards examined by all the judges in the chancellor's chamber, and they selected from them a certain number according to the circumstances of the recommendation, &c. which they transmitted to the lord lieutenant, who thereupon issued his warrant for the appointment of such as he finally determined upon. That mode of electing them was certainly preferable to the present; and he had no hesitation in giving a pledge, on the part of the government of Ireland, that that system should henceforward be recurred to [Hear].

As to the general revision of the magistracy of Ireland, he had made every inquiry into the practicability of such a revision, but he apprehended it would be found impossible. In the first place, it was usual for the chancellor of Ireland to have a more arbitrary power in the dismissal of magistrates than was possessed in this country, where they were never dismissed but upon the sentence of a court of law, or for some gross irregularity of conduct, which rendered them totally unfit for the office. He was willing to admit that there were many persons placed in those situations who were not qualified for them, either by their property or rank in life. But then, he must again beg the House to remember the great difference in the manner in which society is constituted in Ireland. With respect, however, to the selections generally speaking, he did not recollect more than ten or twelve cases of recommendations taking place, and he believed they were all of them made from a conscientious impression of what was considered to be the best for the tranquillity and safety of the country. It might be true that there were persons now in the commission, who were put into it in 1798, on account of their zeal and loyalty to the government, but if the general revision were to apply to them, he did think it would be most unjust to deprive them of their places, without some better ground for such a proceeding. How, in fact, was the lord lieutenant to judge what persons were fit but from recommendations? And what a tremendous power it would be giving to leave him to decide what precise degree of character was necessary in order to qualify a man to be a magistrate. What criterion could be adopted for retaining him in office after he had once acquired possession? Would you take the criterion of property? That would be a most fallible one. However plausible or popular the idea might be of effecting what was called a general revision of the magistracy, he was convinced it would be productive of great injustice. That, however, was his opinion, and he knew it was the opinion also of the person at the head of the department which was most concerned.

He now came to that single point, as affecting the grievances of Ireland, in which it was supposed the government was deeply implicated; and he could assure the right hon. baronet, from whatever sources he had derived his information, it was most erroneous. Those societies which he had alluded to, did not exist, generally speaking, in those counties which were disturbed, and he had never heard them accused as being any part of the causes which produced the present condition of Ireland. But, it was asked, why do you not prevent the celebration of particular days and events? He should like to know how the right hon. baronet himself would do it. He must be aware that it would be impossible to exercise any effectual control. There were a thousand ways in which the law might be eluded. They might prevent any particular body of persons assembling, who were united for specific purposes, and bound together by illegal oaths: but it was impossible to counteract those celebrations of particular occasions to which the right hon. baronet had alluded. He was aware that he (Mr. Peel) had been subjected to many imputations, as if he had encouraged the formation and growth of those societies. He could only say, that for the greater part of those imputations he had the most profound contempt; but if the right hon. baronet believed, for a moment, that any such encouragment was afforded, directly or indirectly, he could only entreat him to dismiss it from his mind, for he was perfectly wrong. He held in his hand proofs to the contrary; proofs, that the government had exerted itself to repress the tumults arising from those causes, and to diminish the operation of the causes themselves. It must be perfectly notorious to every one, that where opposite parties existed, where personal animosities ran high, offence might be conveyed on either side in a thousand different ways, which no legislative interference could reach. But so far as the government could exercise any influence, he would venture to say that it had never neglected the opportunity. It might be easily imagined, for instance, that much inflammation and angry feeling would be excited by playing what were called party tunes. Now, how could that be prevented by law? How could you define the particular sort of tune which could be considered as party tunes, and therefore not to be played? But even in that respect, the government had been careful to do all that lay in its power. By a general order issued on the 24th of June, 1814, a kind of circular letter, addressed to the brigade majors of the yeomanry, the lord lieutenant called their attention to a former circular letter of a similar description, issued in 1810, and which he desired should be considered as still in force. The object of that letter was, to prevent any assemblages of the yeomanry, and to forbid them from wearing their military clothes, or carrying their arms, except when on duty. It further stated, that there were some particular tunes which gave offence when played, and it was requested they might be avoided as much as possible. That was the only kind of influence which could be beneficially exerted in such cases, and that influence, it would be found, had never been neglected by the government.

Among the other causes which had unquestionably contributed to produce the present disturbances and outrages in Ireland, might be reckoned the press of that country. He was far from meaning to say that the benefits which resulted from a free press, did not greatly, if not wholly overbalance the evils of its abuse. He would even venture to assert, that what might be called the extreme licentiousness of the press, in a former period of our history, mainly assisted in securing to us invaluable privileges. But what could be said in favour of a press which never sought to enlighten the public mind —which never aimed at the dissemination of truth—which never endeavoured to correct the morals, or improve the happiness of the people? On the contrary, the most studious efforts were made to keep alive and foment discord, and the malignant influence of the worst passions of our nature. Their only object was, to make it be believed, that the very sources of justice were corrupted, that the verdicts of juries were always venal, and the conduct of magistrates always base. By those insinuations, industriously and perseveringly spread, many persons were driven into the commission of some paltry offence, when, in his opinion, they were infinitely less guilty in a moral point of view than those vile and degraded beings by whom they were instigated. The most infamous falsehoods and calumnies were uttered against magistrates thus pointing them out to the vengeance of those misguided men whose passions were easily worked upon. The consequence of such general and indiscriminate abuse as defiled the public press of Ireland, involving every person whose station, rank, or conduct rendered them at all public, was, that no one dreaded censure, and the force of public opinion, therefore, that great auxiliary to a free press was utterly destroyed. The House could not form any idea of the licentiousness to which he alluded, by reflecting upon what was called licentiousness in this country. As a specimen, he would read to them a passage from a work which was too contemptible to notice, except as such an illustration: he meant the Irish Magazine. They would see the nature of the poison which was disseminated. Until the present year it had had a wide circulation among the lower orders in Ireland, and they would judge the sort of influence which its infamous and detestable falsehoods were calculated to have upon that class of people. As a proof of the motive for circulating it, he would state, that it was generally distributed gratis, or at least at a price so very much below what the mere cost of printing must be, that it was evident profit was not considered, but only the accomplishment of the most pernicious and villainous purposes. In an article, purporting to be upon the persecution of the Protestants in France it said, " if the pious Britons are so indignant, as by their cant they pretend to be, why do they not exhibit some portion of their humanity in behalf of the ceaseless massacres of the Irish Catholics? It may be asserted in the face of all Europe, that more Irish Catholics have been murdered since the month of May, 1814, than ever suffered in France during the most bloody persecutions, either before or after the revocation of the Edict of Nantes." That specimen, he apprehended, would be sufficient to show to what kind of abuse and licentiousness the press of Ireland was perverted.

He would now advert to one other topic which he conceived ought to be considered as a part of the causes which had tended to place Ireland in her present condition. He alluded to the actual state of the elective franchises. The manner in which they were exercised by the Catholic freeholders was most injurious. It was far from his intention to urge any thing against the wisdom or policy of the act of 1793, by which those franchises were extended to the Catholics. He did not think that either the dangers or the benefits which were predicted at that period had been realized; but at the same time he did not think that it had invested the Catholic democracy with any substantial power or advantage. The real advantage which had been derived was not by those who possessed the freehold, but those who possessed the freeholder. In registering the freehold property, he had been told the greatest abuses existed. Perjury was frequently committed. Leases were made out merely for the occasion, and persons swore to the possession of property which they never saw. If it were asked, why such persons were not proceeded against, the answer would be, that if they were committed, they would be immediately bailed out, and never found afterwards. He certainly thought, therefore, that the manner in which the elective franchise was now exercised, required some legislative regulation.

With respect to Catholic emancipation, he would not say more than that the opinions which he had formerly entertained and expressed on that subject, had been confirmed by every observation which he had since been enabled to make, and that he was persuaded no advantage would result to Ireland from its adoption. He was persuaded that such a measure would by no means operate beneficially on the existing state of things in that country. If he were asked to declare from what measure he imagined the greatest benefit to Ireland would accrue, he would say, without hesitation, that any measure calculated to induce, or if that were not sufficient, to compel those individuals to reside in Ireland who now spent the money which they derived from that country elsewhere, would be more immediately felt in its advantageous operation than any other proposition which could be made by any party. He firmly believed that Ireland was precisely in that state in which the benefits of residence on the part of her gentry would be most sensibly felt. The opinion of the lower orders of the Irish, with respect to their government, was too loose and undefined. It was a machine too large for their comprehension; it was a machine too distant for effective operation, and the influence of resident landlords would do more to prevent disturbances, and to effect all the legitimate objects of a wise government, than could be accomplished in any other manner whatever. In support of this opinion he would appeal to all those who had been in those parts of Ireland in which the gentry did reside, to testify the inestimable advantages which arose from the practice.

The right hon. baronet had somewhat misunderstood his sentiments on the subject of education in Ireland. He had never asserted that from a more general system of education any immediate advantages were to be expected. He had never asserted that education was the only way by which the people of Ireland could be rendered tranquil and industrious. He had always said that the only mode by which that people, as well as any other people, could be rendered industrious was, by adopting such measures as would make it their interest to be so. But while he would encourage all those measures which were calculated to produce so excellent an effect on the existing generation, he would not neglect to afford that general instruction from which so much future good was to be justly anticipated. It was the peculiar duty of a government that felt the inconveniences that arose from the ignorance of the present generation, to sow the seeds of knowledge in the generation that was to succeed. It was because he felt strongly the many excellent qualities of the Irish character, it was because he saw even in the midst of the extravagancies and errors which were to be deplored, qualities of the highest description —capacity for great exertion, and aptitude for great virtue—that he entertained on this subject an anxiety which he could not describe. The attachment to that country, which the many excellent qualities of its inhabitants had created in him, would long survive any political connexion that he might have with it—[Hear, hear!]. He would trouble the House no further, but would conclude by moving the following amendment to the motion of the right hon. baronet:—

"That an humble address be presented to his royal highness the Prince Regent, expressing our deep regret that the internal state of Ireland in time of peace renders it necessary to maintain a large military force in that country for the present year, for the purpose of assisting in the execution of the law, and in the preservation of public tranquillity; and entreating that his royal highness will be graciously pleased to direct, that there be laid before this House, a statement of the nature and extent of the disturbances which have recently prevailed in Ireland, and the measures which have been adopted by the government of that country in consequence thereof."

Mr. *Plunkett* began by expressing his warmest gratitude to his right hon. friend, for calling the attention of the House to this most important subject, and for the peculiarly able manner in which he had supported the motion. The state of Ireland was indeed a question in which Great Britain must feel a direct and immediate interest, and therefore it claimed, as no doubt it would receive the fullest consideration in that House. To illustrate that interest, and enforce that claim, he could not think it necessary to add much to the impressive speech of his right hon. friend. For that speech presented the most valuable variety of local, political, and constitutional knowledge. It was indeed so distinguished for accuracy of information, that he should have to occupy the attention of the House but for a short time. He particularly applauded his right hon. friend's speech in consequence of its complete freedom from any alloy of party spirit. The question was indeed too important to be sunk into any mixture with party or faction. Last year the insurrec-act was passed, and though he was not present, he had no hesitation in saying, that if he had been so, he would have supported the measure, although it did go the length of suspending the enjoyment of the constitution during the period in which it remained in force. In the year 1796, and on other occasions, similar acts had been passed, but they were seldom enforced. It was now two months, however, since the right hon. gentleman who was the author of this measure last session, had mentioned to the House the necessity of carrying it into execution. The county of Tipperary, and that of West Meath, were disturbed, and the country was in such a state as to render a military force of 25,000 men necessary for suppressing the spirit of revolt and tumult. Soon afterwards two other counties were added to this mass of confusion and disorder, and now there were no fewer than six declared in a state of disturbance. The military force was increased, but the evils were not diminished; tumult and disorder were rather augmented than suppressed; and he would tell the right hon. gentleman, that if matters did not soon change, 40,000 men would be found insufficient to perform the duty for which 25,000 were now deemed adequate. This was such an alarming state of things, that it could receive no aggravation from fancy—could admit of no additional colouring from fear or apprehension. It pressed upon the House with a weight of interest which no consideration could increase. The natives of Ireland were celebrated for their gratitude for benefits conferred—their fine and ardent feelings were almost proverbial—nor could slight injuries rouse them to revenge. The present deplorable state of that country showed, therefore, indisputably, that some intrinsic vice was in the government, which must be removed before tranquillity was restored.

He did not find that the right hon. gentleman professed to apply any remedies to those evils which he admitted to exist; and, in truth, if certain doctrines which he had advanced were to be considered as the sort of remedy which the right hon. gentleman might feel disposed to apply, he most cordially and most sincerely thanked him that he had abstained from the application. The two remedies of the right hon. gentleman, if he might venture to call them such, were referable, first to absentees, and secondly to forty shilling freeholders. With respect to the absentees, he wished with all his heart they were fewer; he wished for the sake of Ireland, that she possessed a more numerous resident gentry. But how was that to be accomplished? The right hon. gentleman had suggested no means but seemed to trust merely to the powers of persuasion. He did not wish to underrate the right hon. gentleman's eloquence, though he was certainly afraid it would not be found an instrument sufficiently powerful to induce the gentry of Ireland to reside on their estates. If the right hon. gentleman meant to go further than persuasion—if he contemplated the idea of legislative interference—then he would say to him, repeal the Union, send back again to Ireland her parliament, restore that portion of rank and property and influence which she possessed before, and which had been drawn from her by the inevitable operation of that measure. If the right hon. gentleman was prepared to go so far, then, indeed, he would admit that his observations were a proper forerunner of his intentions; but, otherwise, situated as Ireland now was, the question of absentees was one which no wise statesman would venture to touch. As to any connexion that might be supposed to subsist between the present disturbances in Ireland, and the effects produced by absentee gentry, he would venture to say that in those districts where outrage was most prevalent, the grievance of the absentees was least felt.

The next topic to which he wished to refer, was that of the forty shilling franchises. He was not quite sure whether he accurately comprehended what fell from the right hon. gentleman, and he was most anxious to avoid any thing which might be construed into misrepresentation. The right hon. gentleman would set him right, if he erred; but he understood him to speak of the act of 1793, as that act by which the elective franchise was originally granted.

Mr. *Peel* rose to explain. He said he mentioned the act of 1793, not as having originally granted the elective franchise, but as having extended its privileges to the Catholics.

Mr. *Plunkett* continued. The act of 1793, then, was alluded to by the right hon. gentleman, merely as having extended those privileges which had previously been enjoyed by the Protestants of Ireland, to the Catholics of Ireland. Taking the argument upon that ground, he was prepared to contend, that if that act were repealed, it would be disfranchising the Catholics. He would say further, that if the right hon. gentleman had studiously contrived a firebrand calculated to precipitate into immediate explosion the combustibles now scattered all over Ireland—if he had laboured night and day to discover what means were most likely to consummate the mischief—he could not have hit upon a more certain one than to propose to disfranchise the Irish Catholics.

Mr. *Peel* rose to explain. He said he was sorry to interrupt the right hon. and learned gentleman again, but he was tempted to avail himself of his candid offer, and that desire which he had manifested not to misinterpret him. In speaking of the act of 1793, he expressly said that he did not complain of it, because it extended the elective franchise to the Catholics. What he complained of was, the great abuses to which that act had been perverted. The way in which the Catholic freeholders acquired their right, presented opportunities for the grossest perjury. It had never entered into his contemplation to withdraw those franchises, but he lamented the way in which those fictitious franchises were created.

Mr. *Plunkett* said, he was most happy at being set right, though he believed he had erred in common with a great number of persons as to what had fallen from the right hon. gentleman. He should now proceed to the consideration of the question generally, and he must say, it struck him as somewhat extraordinary, that the government did not seem prepared to propose any specific remedies for the many evils, the existence of which no one denied. He would except, indeed, what had fallen from the right hon. gentleman upon the nomination of the sheriffs. For that he was entitled to much approbation, for he was sure it would be productive of infinite good to Ireland; but if he imagined it was calculated, alone, to allay the ferments that now existed, he had much mistaken the real influence and operation of that system. The only thing upon which the right hon. gentleman seemed to rely as an effectual method of remedying the grievances felt in Ireland, was the diffusion of education; and he hoped he should not be considered as undervaluing the importance of education in what he was about to say. The most beneficial effect of education, in his opinion, was, that it brought the lower and the higher classes into connexion by acts of beneficence and kindness. But if, by education, the right hon. gentleman meant merely that the Irish should be instructed in reading, writing, and accounts, he really believed it would be found that the people of Ireland were no more deficient in those things than the people of this country. Nay, if a distinction were taken between the two countries, he believed it would be in favour of Ireland. In those public bodies of men, where the inhabitants of the two countries were brought together, as the army, for instance, he would venture to say that the number of Irishmen who could read and write, was greater in proportion, than the number of Englishmen.

But really, to talk of carrying on the education of a people, by teaching them to read and write merely, was a gross and childish misapplication of the word. The education of a people must grow out of the government of the country [Hear, hear!]. It must spring from that paternal care, and from that equal protection of the laws which insensibly formed the habits of the citizen to a peaceable and correct demeanor. What was it that made every man in England interested in the preservation of public order, tranquillity, and obedience to the laws? Because every man in England knew that the law was his friend and his protector: he cherished it as his birthright, and he regarded those who administered it as labouring with himself for the general good of the commonwealth. Give that education to Ireland, and Ireland would receive it as a boon. Teach the people how to respect the laws, and they would be taught how to be happy [Hear, hear!]. But where was the utility of teaching them reading and figures.—To count property which they did not possess, and to read about that liberty which they did not enjoy? [Hear, hear!].

With respect to the motion of his right hon. friend, he protested he could not comprehend why it should be frittered down in the way which was proposed by the amendment. What reasons had been urged to show the probability that less than 25,000 men would be wanted for Ireland next year? And if 25,000 men were then wanted, why not forty, nay, a hundred thousand, hereafter? The evils which afflicted Ireland, whatever they were, would not remain stationary. They must be put down, or they would progressively increase. If then, it was intended to maintain a force of 25,000 men permanently in Ireland; and if the insurrection act was to be continued; if the people of that country were to be subjected to domiciliary visits in the night, to be liable to be imprisoned, and even transported, not by the verdict of a jury, but by summary commitment; if all these terrible miseries were to be inflicted by the aid of the bayonet, he would say that that House would neglect—would grossly abandon—its duty, if they refused to inquire why such things were necessary, and how they might be avoided [Hear!]. Where was the use of knowing the extent of the mischief, if they were to be precluded from examining into the causes? The reason why it was wished to have information upon the one was, that they might afterwards inquire into the other. He would willingly admit that he must be a bold man who would pretend to affirm that he knew what remedies would effectually remove the evils now existing; but he would be a much bolder man who should presume to leave the country under the hopeless curse of those measures which had so long afflicted and degraded it [Hear!]. Exile and death were not the instruments of government; but the miserable expedients which showed the absence of all government [Hear!]. The sources of public authority were dried up; and that House ought to rescue the people of Ireland from such a desperate state of outlawry and degradation [Hear, hear!]. The state of Ireland was a sort of gordian knot which they could not untie, and refused the aid of parliament, whose duty it was to interpose in behalf of a suffering people. His right hon. friend had prudently abstained from discussing the question of Catholic emancipation, and he would follow his example; but at the same time, when they were called upon to decide so important a subject as the present, he would not be deterred by the fear of having one vote less, or the hope of one vote more, from expressing his opinion. He would not say, that Catholic emancipation was a charm which would allay every discontent and remove every grievance; but he would say, that it was a *sine quâ non*, and that without it no other system of measures could be entirely prosperous.

He would now take the liberty of pointing out a few of those causes which he conceived, had contributed to place Ireland in her present unfortunate condition. He declared that he felt no personal animosities towards any member of the Irish government; on the contrary, for the lord-lieutenant, and for his noble friend at the head of the law department, he entertained the highest respect. In the first place, it was but too well known that there were a number of discontented agitators in that country, who sought every means of disturbing its tranquillity. But it was equally true, that there was a great proportion of the Catholic population as different in their principles and conduct from those unprincipled agitators as if they were not of the same class. Those persons cherished legitimate and honourable objects of ambition, and earnestly desired to be admitted within the pale of the constitution: but he would put it to the candour and sincerity of the right hon. gentleman, whether the government of Ireland had ever attempted to separate the sound from the unsound portion of the Catholic body? He could not say that such an attempt had ever been made; and that, he firmly believed, was one cause of the present infuriated and inflamed state of the country [Hear, hear!].

The state of the press in Ireland had been referred to, and no man could deny that it was most licentious, having been made the instrument of wild demagogues to advance their own projects of ambition. But was this all? Had it not been also most unjustifiably employed on the other side? Had not those papers, which were paid highly for the insertion of government proclamations, been made the vehicles of the most scandalous, malignant, and indiscriminate libels upon the whole Catholic body? [Hear, hear!]. Was this dealing fairly by the people of Ireland, distracted by political and religious differences? He did not accuse the government of encouraging these disgraceful practices, but he complained that it had not interfered to control them. The Orange societies were another source of the present evils, and in speaking of them the right hon. gentleman, without his usual candour, had perverted, in his absence, the argument of his right hon. friend. The objection to them was, not that they celebrated anniversaries, or that they played particular tunes, but that they were societies exclusively Protestant, bound by an illegal oath to continue their allegiance only so long as the King supported what they termed a Protestant constitution. What steps would not the right hon. gentleman have thought it right to take, had Catholics been so illegally united for the purpose of supporting only a Catholic sovereign? It was no answer to state that the Orange societies would be punished when their acts were illegal, for their very constitution was a breach of the law, for which they were amenable. It might be true, that the evil was less among the higher classes; but among the lower these associations of Protestants degenerated into the most brutal and offensive assertion of superiority over the whole Catholic body. Another point likewise deserved notice. It would not be denied, that of all people the Irish were most subject to the influence of their priesthood, and the first act of a prudent government would have been to establish with that priesthood an amicable connexion; yet no attempt of the kind had been made; on the contrary, in the only instance that had occurred, they had given, as it were, designed offence to that very respectable body. A priest of the county of Limerick had been instrumental in quelling a disturbance, for which a letter of thanks from the right hon. gentleman was sent to him; but, before it could reach his hands, it was published in the newspapers, and this reverend gentleman was thus held up to the suspicion of all his fraternity and his flock as a person aiding the tyrannical purposes of government. There were many important differences between the present and former disturbances. From the highest authority it had been stated, that within the last fifty years the commerce of Ireland had doubled, her agricultural produce had increased fourfold, and her population had trebled. Thus it appeared that she was capable of becoming the dangerous rival, or the powerful friend of England: a gigantic form was rising at the side of Great Britain, and the question now was, whether it should be converted into a friend or an enemy. Sixteen years had elapsed since the union had professed to give to Ireland the benefits of the British constitution; yet now that constitution was to be suspended, and the natives of that country were to be deprived of its benefits. What would be thought of a proposition of the like kind with respect to any portion of Great Britain, however small? And yet, upon the whole of Ireland this calamity was to be inflicted almost without repugnance. Such a state of things—such gross injustice and inequality—could not be endured with patience; and the longer the system was pursued, the greater would be the evil to be remedied. It was erroneous, too, in point of expenditure. The whole military force must be paid by this country, for Ireland could not produce any revenue, in consequence of the miscalculation at the time of the union as to the contribution she was to provide. Her debt, since the year 1800, had increased fourfold, no part of which was expended in the country, as was the case in England. On the whole view of the case, the only advice he would take upon himself to give ministers was, that they should retrace as exactly as possible the steps they had pursued in the government of Ireland: instead of establishing themselves on the narrow, odious principle of Protestant exclusion, which kept alive the spirit of dissension, he earnestly recommended them to adopt measures calculated to secure the union and happiness of all classes.

Mr. *Peel*, in explanation, denied that his letter of thanks to the Catholic priest had been published with his knowledge or consent.

Mr. *Vesey Fitzgerald* said, that highly as he thought of the talents of the right hon. gentleman who spoke last, it would, he was sure, require even more than his ingenuity to convince the House, that an amendment which called for full information respecting the various disturbances and outrages which unhappily subsisted in Ireland, and also respecting the measures which had been adopted by government for their suppression, was, in fact, a refusal of information. It must be obvious, upon an examination of the original motion, and of the amendment, that all the information that was required by the one would be obtained by the other; the only difference between them was, that the amendment did not propose to state the measures which ought to be adopted, before the information was obtained, a mode of proceeding equally unprecedented and absurd. He could not argue this as a mere question of debate; he would admit that the right hon. baronet, who had brought forward the motion, had, in enumerating the evils by which Ireland was afflicted, truly and candidly stated that the causes of many of them were not of recent origin, but had existed for centuries, and some of them even before the introduction of English laws into Ireland; but yet the right hon. and learned gentleman had argued as if all those evils had grown out of the conduct of the recent administrations of that country: nay, he had so said. The House, he was sure, would feel no difficulty in deciding upon the justice and the candour of the two statements. He confessed that he should feel considerable difficulty in deciding upon the vote which he should give upon this question, if he thought that its decision in any degree involved that of the Catholic question, which the right hon. baronet had so properly endeavoured to keep out of the present discussion. Upon that question, it was well known that he differed, and had always differed from his right hon. friend (Mr. Peel); but he differed not more from his right hon. friend upon that question than he did from those who thought that the granting of the claims of the Catholics would operate as an immediate and universal *panacea* for the cure of all the evils which afflicted Ireland; many of which, as had been already stated, arose from causes that existed before the difference of religion existed; for he might say that it did exist between the two countries.

The right hon. baronet had, in his opinion, done most wisely in endeavouring to separate the discussion of the Catholic question from that now before the House, because this was the first session in which that important subject would come before parliament upon a petition, offering such concessions as might satisfy the minds of the Protestants, without trenching upon the rights or infringing any of the doctrines of the Roman Catholic church. One petition had already been presented by an hon. baronet, and another would, he understood, be presented in a few days by the member for Dublin, founded upon the principles which he had described. As a friend to the claims of the Catholics, he protested against involving that great question with the present motion, and he could not help expressing his surprise that the right hon. and learned gentleman should have attempted to combine them [Hear, hear! from the opposition]. He would admit that the consideration of the claims necessarily mingled with any view of the state of Ireland; but he deprecated any decision of the House on such a motion as that of this night, being treated now, or referred to hereafter, as a decision on those claims. The right hon. and learned gentleman, after declaring that he was not himself prepared to offer any remedy that would remove the evils which were on all hands admitted to exist, had accused his right hon. friend, the chief secretary of Ireland, for not pointing out at once all the measures which the government were prepared to recommend for the immediate restoration of tranquillity in that country. He admitted, indeed, that his right hon. friend, with respect to one of the grievances which had been mentioned, namely, the mode of appointing sheriffs, had pledged himself that the Irish government would revert to the ancient manner of nomination. The right hon. baronet who spoke first, had represented the existing mode as an evil of the greatest magnitude, as one which "poisoned justice in the source," and the same language had been used respecting it in another place; yet, when his right hon. friend proposed to remedy it, the right hon. and learned gentleman treated it as trifling, and had tauntingly asked, if a reformation in the mode of nominating sheriffs would remove all the grievances of Ireland? No man had insinuated that it would.

Upon the subject of grand juries the right hon. baronet had forborne to enlarge, because he knew that there was but one feeling in the House upon it. It was but fair to state, that this was one of the subjects that had occupied the earnest attention of many members of the government: if no measure had been brought forward, it was out of respect to the chairman of the committee, to whom that subject had been referred by the House, and from a conviction that it could not be undertaken with so much propriety, or with so great a chance of success, as under the sanction of that committee. His own opinions upon the grand jury system were known: to the part which he and his right hon. friend had taken in the discussions upon it, the right hon. baronet could bear testimony; he had himself been examined before the committee last year, and he should now repeat what he had before stated, that though the system was liable to abuse, and had been greatly abused, yet it was impossible to conceive one founded on better principles, and more calculated to produce beneficial effects, if acted upon according to its true spirit. He trusted that there was a determination not to abandon the question, until the practice was reformed, and that spirit restored. He had no doubt that the separation of the criminal and civil business which the committee above stairs appeared disposed to recommend, would be the most efficient reform that could be adopted at this time; and if the bill of an hon. and learned gentleman opposite (Mr. Horner) respecting proceedings on indictments by grand juries, were made the law of the land, as he had no doubt it ought to be, such a distribution of the business at assizes would become absolutely necessary.

The right hon. and learned gentleman had stated, that the only measure which his right hon. friend (Mr. Peel) had suggested was that of education, and had with respect to it also tauntingly asked, "What, do you think that teaching the Irish peasant to read and to count will alleviate all the evils under which he labours? Do you think that teaching him to read of liberty which he cannot enjoy, and to count property which he cannot possess, will remove all the grounds of his complaint?" This was language which he should not have expected from the right hon. and learned gentleman. This was not the manner in which the efforts of the government, or the benevolent views of parliament, ought to be treated. He felt the sincerest admiration of the talents and eloquence of the right hon. and learned gentleman, but he confessed he was surprised to hear such sentiments upon the subject of education from the member for the university of Dublin. What were his plans for giving to the Irish peasant more property? Or what is the liberty, what the personal freedom which is desired, and has been denied? It did not become him to describe the Irish peasant as oppressed, because he was in that situation in which the great majority of the population of all countries must be always placed; or was the benefit of instruction to be withheld from all but those who were possessed of property or qualified for political power? Before the right hon. and learned gentleman took upon himself to rebuke the government, and to undervalue the efforts which had been made by parliament to promote the interests of Ireland, he ought to have come sometimes to that House upon some ordinary occasions, and not have confined his attendance to great questions only, like the present. If he had been in his place last session, he would have heard proposed a grant for a most valuable institution in Ireland, the object of which was to instruct schoolmasters, who were to be employed in spreading the benefits of education throughout that country, and to circulate books of a very different description indeed from those poisonous publications to which his right hon. friend had alluded; and to which the right hon. and learned gentleman had alluded too. In a conversation which he (Mr. Fitzgerald) had had with the leading members of one of those institutions, he had told them, that if they could lay before the government a case that would justify the expenditure even of a much larger sum of money than had been granted, or would point out how it could be employed usefully, he would willingly state their case to that House; and he knew that he should not reckon in vain upon its sympathy or its liberality.

The institution he referred to, was composed of persons of all religious persuasions; this he deemed essential: any attempt at conversion, any proselyting spirit, would be justly suspected and opposed. Those who knew the earnestness with which the poorest peasant in Ireland sought instruction for his child, would anticipate, if no religious spirit mixed with it, the same results which he did. The right hon. and learned gentleman must know that among his own constituents there were many who had risen from the lowest ranks of the people, and that solely by the exertion of native talent and ambition, which was the peculiar characteristic of the Irish. He could himself mention instances of it which were as extraordinary as they were interesting.

But to return to the prospects of education which some of these societies held out: the leading members, and, he believed, the majority of the one he spoke of first, were Catholics, and Dissenters from the established Church. Their plans were in operation in every part of Ireland, and would, he trusted, lay the foundation of more solid benefits to the people of that country than the mere teaching them reading and writing. Could, then, the right hon. and learned member estimate so meanly the moral advantages which would result from instructing the poor? There was another society for which a large grant had this year been made by parliament, which, though not likely to produce such extensively beneficial effects, as the one to which he had just alluded, was highly deserving of support. One of these institutions had already and rapidly spread its establishments. The House would not think so lightly of their labours when he told them, that in the last year, in one province of Ireland, one hundred and fifty additional schools had been formed. The number of children educated at them, he would not, on memory, now venture to state; but he had himself attended and inspected some of the establishments, and he augured more from them, than from any merely political boon which could be offered to the people.

There were many other subjects which the right hon. and learned gentleman had touched upon in the course of his speech, which he should feel no difficulty in giving an opinion upon, though he was not prepared to offer any measure to the House upon them. They were indeed too complicated and too important, to be brought forward without due consideration. Upon the subject of tythes, he felt in common with every one who had spoken upon the subject, that it was one of a most difficult and delicate nature. There never had been a motion made in that House for a committee to investigate the system of tithes that he had not supported; but he confessed, at the same time, that he had never seen any plan proposed that, in his opinion, gave sufficient compensation or security for the property which it proposed to take away. The government, he was sure, had no desire to prevent investigation upon the subject; but neither his right hon. friend, nor himself, had a distinct plan to propose, and this was a question to which he thought no one ought to call the attention of the House, unless they had some definite measure to offer. At least no one on the part of the government of Ireland could do it. He would be the first, however, to go into a committee with the right hon. and learned gentleman on the subject of tithes. And if the right hon. and learned gentleman would do somewhat more than give the House the pleasure of an eloquent and annual speech, and attend such a committee, he would be entitled to come forward in the next session, and accuse the government of the country, if he found its members shrinking either from the labour or responsibility of investigation [Hear, hear!]. But it was easy to condemn,—had the right hon. and learned gentleman afforded us any suggestions of his own? As a statesman and a lawyer he knew the danger and difficulty of rashly attempting a commutation which affected the whole property of the church in the United Kingdom.

With respect to the population of Ireland, his right hon. friend who had spoken second in the debate, had said so much, and so eloquently, that he should occupy very little of the attention of the House upon that part of the question. But when he was asked in that House, what had been done to relieve, Ireland and to ameliorate her condition, he could not avoid shortly adverting to what had been done, and done recently, with that object. The right hon. baronet opposite (sir J. Newport) could inform the right hon. and learned gentleman what had been done to promote her agricultural interests, and the beneficial consequences that had resulted. Did he not know, that last year one of the great arguments, and, he believed, one of the most successful, in favour of the corn bill was, the benefit that it was likely to confer upon Ireland, by affording encouragement to her industry, and a market for her produce? On similar grounds the bill imposing so high a duty on foreign butter had been introduced and supported. In every one of the discussions on agricultural questions, the interests of Ireland had been a main and important feature of the considerations of parliament. It was idle to say that these things had not been done for the people. They had been done for the country [Hear, hear!]. The people would have their share of the benefit.—If you serve and advance the country, you advance them also [Hear!]. You encourage their industry and you protect it [Hear!]. If the right hon. and learned gentleman had been in his place only last night, he would have seen that the motion respecting the transit duty on foreign linens, a motion supported, he would admit, upon no insufficient grounds, if separately viewed, and the success of which was intimately connected with both parts of Great Britain, was yet negatived on the simple ground of the injurious effect that the repeal would have on the numerous and manufacturing population of the province of Ulster [Hear, hear!]. Those who supported the interests of Ireland had not the satisfaction of counting the right hon. and learned gentleman's vote in their majority on that occasion. He repeated, no man was warranted in saying that the interests of Ireland were neglected either by the government or by the House of Commons. The bill introduced by the right hon. baronet opposite, in which an hon. and learned relative of his, had shared, respecting the rights of landlords and tenants was calculated to be productive of great benefits, and still more to the tenants than to the proprietors of the soil. He had always considered that one of the greatest evils in the situation of the Irish peasantry grew out of their common tenancy, out of that system which made the inhabitants of whole villages partners in the same lease. The landlord could not be expected to give a separate lease, and separate possession to every individual tenant, where the expense of ejectment was so heavy, as well as every other proceeding for asserting legal rights. It was obvious what a discouragement to industry and to improvement of every kind this system of occupation had created. The House might be satisfied that there was nothing could be done for the Irish peasantry half so good as to assure to them a separate and independent existence, to teach them the value of comfort, almost to increase their wants, to create for them domestic wants, he would say, and thus to prevent that multiplication of population and of poverty which was inseparable from the present habits of the people. It was as leading—indirectly he admitted—yet as leading to some of these results, that he approved of the bill which was then in progress through the House.

If he were not occupying too much of the time of the House, he would advert to one or two points upon which he felt greatly interested. There was one circumstance which had frequently struck him as a grievance pressing upon the lower classes of the farmers in Ireland, and that was the difficulty which they experienced in recovering the debts due to them. By an act passed in 1796, a power was given to the assistant barristers to try by civil bill, cases of debt to the amount of 20*l.* Great advantages had resulted from it.—Nothing fell more severely upon the lower orders of farmers than the difficulty of thus obtaining justice, the expenses of which before the superior tribunals, were beyond their reach. There could not be a stronger proof of this, than that the number of actions brought amounted to above 30,000, and that the number tried did not exceed 800: the great expense deterred people from prosecuting them. The expense of prosecuting a suit before the assistant barrister did not exceed a few shillings, and he thought it would be a most material benefit conferred upon the people of Ireland, to extend the jurisdiction of the assistant barrister from cases of 20*l.* to 50*l.*; he certainly should be happy to co-operate in any measure for that purpose. Perhaps he might be told that we ought to wait until the commission now inquiring in Ireland had made a report to the House of Commons, for this subject doubtless would not be passed over by them. He was not prepared to say we should not wait; but it was hardly to be conceived how great would be the benefit of the regulation which had been suggested to him from innumerable quarters. Against it he had never heard but one objection, namely, the prejudice that it would do to the rights of the officers in the superior courts. With respect to any legitimate rights of theirs, parliament would, he was sure, do as it thought most just: yet, however, he trusted, no other right set up would stand in the way, and the legislature would not allow the interests of individuals to interfere, if relief could be extended to the poor and the wronged.

Two other points he had almost forgotten. This might not be an improper time to state them. There was a tax which pressed upon the lower order of people in Ireland, called the house duty: it bore no similitude to the house duty in England but in name. In England it was an assessment on value; in Ireland it attached only upon houses that were so mean and wretched, that they contributed in no other shape: it was paid exclusively by the most indigent of the people. No little difficulty arose in collecting it; and sometimes, he regretted to say, in the remote and wild parts of the island, the collectors of taxes were unable without, more than civil assistance, to bring it in. He had already (he believed two years since) introduced a bill which relieved the lowest and wretchedest class from the payment of this duty, but it still fell on all who paid an annual rent of ten pounds, and he trusted to the concurrence of the House when he proposed to repeal the tax altogether.

Another relief which he wished to extend was, to take off the hearth duty; it would be well to exempt from it any house not having more than three hearths. This would embrace all the lower orders, and he was sure the House would feel pleasure in extending this relief to them. And then there was not a direct tax to the state, to whcih the Irish peasant would be subjected. He perceived that there were persons to whom these indulgences did not seem important. Perhaps they were not, but he was sure that the poor peasant would consider them of importance [Hear, hear!]; and at all events, the right hon. and learned gentleman would, he trusted, see from this statement that, there was every disposition on the part of the government to conciliate the people, and to relieve them from pressure [Hear, hear!]. He was sure these boons would be accepted gratefully.

Another subject had been touched upon by a right hon. baronet, on which he would say but one word. He expressed in his speech great and just disapprobation of the remission of the fines imposed upon some counties for illicit distillation, because the amount of those fines was so great, that they could not be collected. Without entering into the principle of that law, nothing, as the right hon. baronet had truly stated, could be more monstrous than to make the magnitude of the guilt a plea for impunity. He had heard that that subject was likely to be brought before the House in the present session by some of the representatives of the north counties. He knew he should have the co-operation of the right hon. baronet to put down a mischief more destructive even to the moral habits of the people, than any that ever spread amongst them. It was not only the vices to which it led and the habitual violation of the laws, but industry withered wherever it set its foot. He would not now however anticipate those discussions.

He had endeavoured to follow the right hon. and learned gentleman through the leading points of his speech. He had accused his right hon. friend of wishing to enforce the residence of the landlords in Ireland, by a tax upon absentees. His right hon. friend had made no such proposition; he had adverted to the fact of the absentees, and lamented it as one of the evils which had led to the present distressed state of the country. And here he begged leave to say was one of the great differences between England and Ireland. If there was any one circumstance which more than another led to the superiority of England over Ireland, it was not superiority of education, but the residence of gentlemen of landed property among their tenants. Those opposite to him, he was sure, would do his right hon. friend and himself the justice to admit, that when an hon. member last year proposed to extend the property tax to Ireland, they had opposed it on the ground that it would discourage mainly the residence of the landlord in Ireland, because they considered the existence of that tax, in England and not in Ireland, as a strong inducement to the landed gentlemen of Ireland to reside there.

Upon these subjects he should now say no more.—Of a desire to foment or to keep up religious differences which had been imputed to others he knew nothing. He did know that there was in the government no such disposition. To those who formed it, it was very unjust to ascribe such a feeling. He sincerely believed that a man more impartial, more pure in his high office, more gracious in all his personal and public acts than the noble earl who presided over that government did not exist. Did any man suppose that his right hon. friend near him was capable of being swayed by any such partial considerations in the discharge of his public duty? For himself, he could declare, that he would never have continued still less with the cordiality and affection which he had done, a member of any administration which could so far forget what it owed to the sovereign and his people. He was sorry that the authority of the right hon. gentleman was lent to a charge so undeserved. He repeated that he should cheerfully vote for the amendment of his right hon. friend. If in so doing he thought he could be considered as pronouncing on the Catholic question, or indeed pronouncing upon any one of the great questions of policy which might affect his country, he should, however painful it might be, dissent from that amendment; if he thought it calculated to prevent inquiry, he should vote against it; but convinced as he was that it could produce full information on the present state of Ireland, and that it would not prevent any inquiry which might be hereafter called for, he hoped the majority of the House would give it their support.

Mr. *Dawson* said, he had no idea that the evils under which Ireland laboured were to be healed by the panacea of a single measure. The black catalogue of her calamities was too numerous to admit of one specific remedy. He spoke of the advantages which Ireland possessed in the fertility of its soil, the temperature of its climate, its numerous harbours, and the physical capacities of its people; and yet its history had been an almost continued series of revolutions and misfortunes, with the exception of that brilliant period when her parliament was rendered illustrious by the brilliant eloquence of the right hon. gentleman opposite, (Mr. Grattan). He regretted as one great cause of the evils under which Ireland laboured, the assiduity of a band of agitators, who worked upon the bigotry of the people, and also on their passions by a licentious eloquence. As a resident in that country, he had witnessed their baneful effects. In the county which he had the honour to represent, they had been but too successful in disjoining the Catholic and the Protestant. He had little hesitation in asserting, that little would be gained by what was called Catholic emancipation. A few Catholics might be conciliated, but the great majority would still remain under the influence of priests and agitators. He concluded with signifying that he should vote for the amendment.

Mr. *Grattan* expressed his high satisfaction with many of the points which had been so fully, candidly, and impartially discussed by the right hon. gentleman opposite. The question before the House was, he said, of vast importance, and it certainly was an object worthy of the British legislature to point out, in a calm, dispassionate manner, such means as would renovate the exhausted state of that country. The question now before the House was undoubtedly complicated in its nature; but still it appeared capable of being reduced under a few heads, to which he should shortly advert. The first was, the disunion of Catholics and Protestants; the second was, the financial distress of Ireland; 3dly, its commercial and agricultural distress; and 4thly, the existence of insurrection in various parts of the country. And, first, with regard to the disunion between Catholic and Protestant. Here the main object was, to obtain the identification of interests. In order to this, you must put an end to religious disunion, for no man could say, that where there was an exclusive religion, there could be an identification of interests. Secondly, with regard to the financial distress of Ireland, it was undeniable that it was almost beyond conception. Her expenditure had outshot her means, for she had a debt of one hundred and fifty millions, burthened with an interest of seven millions, while her revenue did not exceed six millions; so that for the maintenance of her establishments she had absolutely nothing. Difficult as this situation was, he did not despair of its being relieved. He would suggest, therefore, such a financial arrangement between the two countries as would enable both to contribute to their mutual relief. Thirdly, with regard to the commercial distresses of Ireland, he acknowledged they were great, but he considered them as resulting from the sudden and violent change from war to peace. On that head, therefore, he was not inclined to despond. As the most effectual means of relieving those distresses, Ireland should receive a constant preference over foreigners in the British market. Thus it appeared to him that all the three branches of difficulty of which he had spoken might in time be removed. With respect to the agitation which existed in Ireland, by a good administration of the government it might unquestionably be cured. It was of a temporary, not of a permanent nature. It was disgraceful, but it was an eruption of the skin, and did not proceed from the blood. It ought to be put down by the law; and although in a free country an effervescence of that nature could not be so speedily subdued as in a despotic country, it would be more effectually so in the end. Above all, never let the government put itself in the wrong, but let it so act, that the very criminal who suffered under the infliction of the law should allow the excellence of the constitution under which he was punished. From the peace which had been concluded over the whole world he looked for great advantage to Ireland. Ireland had suffered much by the war. Her debt had increased to an enormous amount. Her taxes were heavier than she could bear. She had assisted Great Britain in carrying Europe through the chaos in which she had been involved; and it now became the duty of Great Britain to use every means of alleviating her distress, and to identify the interests of the two countries.

Lord *Castlereagh* said, that painful as the contemplation of the state of Ireland must be to every well-wisher to the prosperity of the British empire, it was gratifying to witness the tone and temper with which the subject had been discussed on both sides of the House. The right hon. gentleman who had just spoken, had on this, as on all former occasions, infused into his observations that spirit of moderation by which alone a discussion so difficult could be conducted without the danger of injurious consequences. The right hon. gentleman had on this, as on all former occasions, looked at the question before the House with a statesmanlike eye. The temporary difficulties and misfortunes of Ireland had not induced him to despair of her ultimate prosperity. On a former subject the right hon. gentleman had shown himself to be a true prophet. By the civil exertions of the empire, and, under the protection of providence, by the vigour of our arms, we had surmounted the external dangers to which we had been exposed, and he now trusted, with the right hon. gentleman, that the wisdom of parliament would trace out all the evils of our internal condition, and eventually apply to them an effectual remedy. With respect to the motion itself, the debate upon it had, he repeated, been conducted with the utmost temper. No disposition had been evinced in any quarter to aggravate the existing evils; and the differences between the two propositions before the House did not appear to him to be of a nature which forbad them from being reconciled. He trusted that the right hon. baronet, if he was not perfectly satisfied that there was some substantial benefit to be derived from adhering to his proposition which would not result from the adoption of the amendment of his right hon. friend, would set the example of unanimity in this the first stage of the discussion of the state of Ireland, and that he would not press the House to a division, unless he felt that there was a great practical difference in the two propositions. For his own part, he was persuaded, that his right hon. friend had laid the only true and practical ground on which the House ought to proceed. Had his right hon. friend contended that the state of Ireland was such as not to render any parliamentary consideration necessary; had he maintained that it ought to be dismissed altogether from the thoughts of that House; had he asserted that the government of Ireland, having been provided with vigorous laws, and armed with a large force, to carry those laws into effect, should be left to its own operations, unfettered with any parliamentary deliberations on the subject, then he should have felt that the right hon. baronet's proposition stood on a firm foundation. But his right hon. friend went along with the right hon. baronet in the assertion, that the state of Ireland was a case of inquiry; he went along with him in the assertion, that in that state there were evils to which the the wisdom of parliament might apply a remedy. With a view to the consideration of this remedy, his right hon. friend had proposed an address to the Crown for that information on which the remedy was to be founded. He hoped, therefore, that the right hon. baronet would consider the importance of unanimity, and accede to his right hon. friend's amendment. Nothing could be conceived less desirable than that a disunion of sentiment should be manifested with respect to the subject under consideration.

To what did the difference of the two propositions amount? In the early part, in the practical part of the hon. baronet's proposition, he was in unison with his right hon friend; but the right hon. baronet then proceeded to assure the Crown, that as soon as the required information should be produced, the House would proceed to take it into consideration, and to found upon it such measures as might to them seem best calculated to remedy the existing evils. Now, nothing could be less necessary than such an assurance. How could it be doubted, that when parliament called for information on any subject, it was for the purpose of founding on that information some ulterior proceeding? The assurance, therefore, that the House would do so was totally unnecessary. If, by the assurance, the right hon. baronet meant to convey an impression to the Crown, and to the people of Ireland, that the House was prepared to countenance some particular measure, he (lord Castlereagh) had no hesitation in avowing it to be his opinion, that such a declaration, which circumstances would, perhaps, not allow the House to follow up, was most unwise. He was the more disposed to resist such a gratuitous pledge, because experience had shown the futility of it. The House would well recollect, that in a former session, in a discussion on the Catholic claims, they came to a general declaration, in the form of a resolution, that early in the next session, they would proceed to take those claims into consideration, with a view to their conciliatory adjustment. It did happen, however, that when that session arrived, circumstances occurred which induced the House not to carry their intention into effect. He stated this the more freely, because, as was well known to the House, he was a warm friend of that measure, to the adoption of which the resolution to which he had alluded had in a great degree pledged parliament. He was firmly of opinion that acquiescence in the Catholic claims would mainly tend to tranquillize Ireland. But the experience of that event induced him to wish to avoid any general pledges which might in their consequences compromise, or appear to compromise, the faith of parliament.

It was a great satisfaction to him, and it must be a great satisfaction to the House to observe, that whatever differences of opinion might exist on other parts of the subject, there was but one sentiment with respect to the temper and conduct of the Irish government. However hon. gentlemen might be at variance on other political questions, no one had attempted to assert that the noble lord at the head of the Irish government had wielded the authority entrusted to him in any other way than that which was wholly consistent with an exemplary discharge of his duty towards those whom he was called on to govern. The present lord lieutenant of Ireland had been compelled to put in force the laws enacted for the particular circumstances in which Ireland was now placed: but he (lord Castlereagh) had never heard the slightest animadversion on that noble lord's conduct, and had never heard it imputed to him, that he had exercised the power thus given to him without tempering it with as large a portion of mercy as was consistent with rendering its exercise effectual with respect to the object for which it was afforded. The principle of his government had been to administer the laws wisely, temperately, and liberally to the people at large, and indulgently even to those by whom they had been violated. It must be equally satisfactory to those interested in the fate of Ireland to observe, that the gentlemen on the other side, differing as they did in politics from himself, and those who thought and acted with him, yet bore evidence to the disposition manifested in the discussions in parliament, to look at the interests of Ireland, with partial and liberal eyes. In fact, no policy was capable of more distinct recognition in parliament, than the desire to raise Ireland in the scale of the empire, in point of wealth and comfort. He was fully persuaded that the people of Ireland might be made a well-informed and moral people. Even at present their minds were much better cultivated than those who did not know them appeared disposed to admit; for it was most untrue that the Irish were in such a state of utter ignorance as that in which they had been frequently represented to be. He concurred with the right hon. gentleman opposite in thinking those were wrong who considered the people of Ireland to be generally uneducated. It was not true that they were remarkably deficient in intellectual knowledge. He could take upon himself to say, this was by no means a correct character of them. So far as his experience went, they were rather the reverse of this. He spoke principally of the north of Ireland, where the population, far from being such as had been supposed, was such, that he knew no country in which the inhabitants were more intelligent. The knowledge which he spoke of was not confined to the higher or middling ranks of society, but absolutely pervaded all classes; extending even to the lowest.

On all those questions which were intimately connected with the welfare of Ireland, his majesty's ministers, far from wishing to avoid, were anxious to enter upon the most ample discussion. They were desirous that every thing of importance to the sister kingdom should be carefully investigated, but they wished the propositions submitted to them to be of a less general nature. It was their earnest hope that all those questions in which Ireland was greatly interested would be brought forward singly, that they might be thoroughly understood, receive the undivided attention of the House, and be discussed with a view to some practical result. Nothing grieved him more than to see the affairs of Ireland brought before the House by a motion so general in its nature, that they could only be treated historically, instead of being so fully investigated as to promise a practical remedy to the grievances which were alleged to exist. While he admitted those grievances to be considerable, he must still remark that it gave him pain to see that exaggerated view taken of them in which some gentlemen were disposed to indulge themselves. In some instances he had remarked a disposition to suppose those miseries were constantly to be endured throughout the whole country, which had never afflicted but a part of it, and which, however great, were not greater than had been known at various periods in other civilised countries, whose case had, notwithstanding, been far from desperate. Disturbances as alarming as those complained of in Ireland, had but a few years ago existed in some of those counties of England which were generally among the best affected and the most orderly. If the character of England had been taken from the state those countries were in at the period to which he referred, would that have been just to the country at large? At that time, from the disturbed state of several counties, it had been his painful duty to come down to parliament and propose certain strong measures to repress those disorders which at that time occurred. With as much reason as Ireland was now described to be generally in a state of disorganization, might a foreigner then have left that House, after hearing those statements which it had become necessary to make, with an impression that Englishmen were a race of barbarians, whom nothing but extreme rigour could restrain, and whose situation was such, that their case must be viewed as hopeless for all time to come. Would such representations of the state of this country have been just? Certainly they would not; and those representations which were sometimes put forth of the present distress and future prospects of Ireland were not more entitled to implicit credence, than would these have been of the then situation of England.

He would repeat it, the government, far from being indisposed to avoid the discussion of questions connected with Ireland, were most anxious to meet them singly, that they might be fully debated. When gentlemen thus should bring them forward, and when the details could be gone into, it would be seen that ministers would not fail to give their best attention to them, and be constantly ready to encourage the prosecution of the inquiry. They were particularly eager to sanction and assist an investigation of that most important branch of the subject—the finances of Ireland. On that great question which had excited such universal interest in this country—on the claims of the Catholics to emancipation, it was no secret that there were great differences of opinion in the cabinet. But, however opposite the views which the members of the government took of that question, in one point, at least, they were all agreed—they had never any objection to its being brought into discussion, nor to state their several opinions on it, whatever these might be. It was with sincere regret, that on the subject of the Catholic claims, he found himself compelled to differ from those with whom he had the pleasure, as well as the honour, to act; but he, nevertheless, did not hesitate to say, openly and manfully, as he conceived it was the duty of each of his majesty's ministers to do, what were his feelings on this disputed point of policy. He did consider it would be a most auspicious event for England, when, from the state of public feeling in this country being such as to prepare the way for that great measure which had been so long in contemplation, those privileges could be extended to the Catholic subjects of this realm, in which they so ardently desired to participate. He should rejoice when the time arrived that this question might thus be met, and when that emancipation which had been claimed could be conceded on those grounds on which he had always contended it ought to be granted. He certainly did think, to carry our administration on in Ireland with a high hand, it was necessary that we should lift ourselves wholly above all the prejudices arising out of the religion of those for whose happiness and protection we were bound to provide. It was not by the principles of their religion that we ought to regulate our legislation. He hoped we should rise above the little apprehensions which might at present be entertained, and which he trusted experience would one day put down. That prejudice vanquished, by giving the Catholics the emancipation which they claimed, we should allay much of the irritation which we had at present to lament was in existence, and thus gain an immense increase of national strength. He did not see that that danger was to be anticipated from acceding to the prayer of the Catholics, which some thought they could clearly discover. If the concessions made in their favour should be attempted to be abused, it must be seen that their strength was not sufficiently great to enable them to shake the whole fabric of our constitution, and the effort must inevitably be successfully repressed. He had always considered the risk which would thus be run so small, when compared with the immense advantages and the vast increase of strength likely to result from it, when the public mind should be prepared for the measure, that it weighed little in his mind against the policy he recommended. He was, notwithstanding, of opinion, that the Catholic question ought not to be made a government question. It would be a misfortune for the question itself, for the empire at large, and the Catholics above all, if it were to be made one; or if it were attempted to be carried, before the public mind had been well prepared for that change in our system which he contemplated. At present the state of public feeling was certainly not such as could be wished for the reception of such a measure. He was of opinion it had been fast growing to the point which he could wish it to reach, but he thought it had been dashed by the temper which had unhappily been manifested on the other side of the water. Before the relief which they prayed could be granted, a different temper must be formed on the side of the Catholics. When they were disposed to adopt such regulations as were necessary to calm the apprehensions of their fellow subjects in England, but which at the same time were not in any respect at variance with the principles of their religion; when they showed a disposition to conciliate, rather than to outrage and intimidate, he should be, as he always had been, an advocate for emancipation; but when the reverse of this appeared in their conduct, he could be no friend to the measure at that time.

To the motion submitted to the House by the right hon. baronet, he could not but object. If he voted for the original address, he thought he should do that which would cause expectations to be cherished that might not be realised. If hopes should thus be excited, which were afterwards to be disappointed, to the many misfortunes of Ireland would be added one of those most to be dreaded, a new agitation and disturbance in the public mind. With this impression he could not support the motion of the right hon. baronet, but must give his vote for the amendment of his right hon. friend, which he thought would better answer the purpose the right hon. baronet had in view, than the motion itself.

Mr. *Ponsonby* thought it was incumbent upon ministers to afford the House such information on the state of Ireland, as should explain the circumstances which induced them to call on parliament for an army of more than 20,000 men; and which justified them in the assertion, that nothing but the presence of such a military force could preserve Ireland to this country. The address called, as it ought to do, for information on the causes of the present situation of things in Ireland; it desired the Crown to give that information which it was the duty of ministers to enable it to afford;—that which would bring before the House the nature, extent, and causes of those circumstances on which the statements ministers had thought fit to offer were founded, and on account of which, they had not scrupled to demand a large military force to watch over Ireland in time of peace. This was the character of the motion of the right hon. baronet;—now, what was the amendment of the right hon. gentleman which the House had been called upon to adopt instead of it? The amendment proposed that the Crown should be prayed to tell the House by papers which the right hon. gentleman was willing to lay on their table, what had been the nature and extent of the disturbance which had prevailed; and doing this, the House would only be informed of that which, in point of fact, they already knew, and which every man might read in any common newspaper; at least in those cases where the offenders had been punished by the law. The right hon. gentleman merely proposed to give papers on subjects which could no longer be supposed to be secret. There was, indeed, a time when the documents which he was now disposed to produce, might have had some interest. Before the parties to whom they referred had been brought to trial, they might have furnished some information of material importance, but now, as he had already said, they could tell the House nothing but what it already knew.

The right hon. gentleman had said, it would not be wise now to proceed to inquire generally into the state of Ireland. It was for the House to consider whether this declaration was well founded, and also to reflect whether any man could have a right to say, the condition of that country was likely permanently to improve, if some change were not effected in its general system. On that great question, which most materially effected the happiness and tranquillity of Ireland, the House would feel it a duty to bear in mind what they had that night heard from two of his majesty's ministers, who, in this instance, were diametrically opposed to each other. The chief secretary for Ireland had said, after giving his best attention to the subject, he was conscientiously of opinion, that the granting of what was called Catholic emancipation, would be a step most inimical to the interests of England. The noble lord opposite, his majesty's chief secretary of state for foreign affairs, and the minister of the Crown in that House, had said of the measure so much feared by the chief secretary for Ireland, that of all others it would be that which must prove most beneficial to this country. How was it to be expected that Ireland could be tranquil and happy under a government thus divided in itself? How could the people of that country rest satisfied while they were told by one of their rulers, that the measure which they most anxiously sighed for was one which was not only just and desirable as it regarded them, but even pressed for its adoption as one of the best that could possibly be resorted to, with a view to the general welfare of the empire;—and when the right hon. gentleman, who execrated much of the patronage and influence of the Crown in Ireland, told them that he differed from his noble colleague, and viewed the measure in question as one likely to be most injurious in its effects? How was it possible for a people thus circumstanced to be tranquil, when the noble lord excited their hopes by expressing himself decidedly in favour of that arrangement which was the object of their wishes;—and when immediately after, the right hon. gentleman, who had a principal share in the administration of their affairs, dashed those hopes, and gave them to know that all the weight of his influence would be thrown into the scale against their obtaining the relief they wanted? It was impossible that any people on the face of the earth who were thus treated, could be quiet.

His right hon. friend, the member for Dublin, had said, he did not despair of our affairs in Ireland, and did not doubt but a great improvement would be effected in the condition of the people. He calculated on seeing the present grievances in an identification of interests, and expected the financial difficulties and commercial distress, now complained of, would be soon got over (as he regarded them but as evils of a temporary nature), and the evils now most severely felt removed, when the insurgents or banditti, as he had not improperly styled them, who now disturbed the peace of Ireland, were put down. But what prospect was there of seeing the face of things thus auspiciously changed? Was there reason to suppose any approach to "identification," while the right hon. secretary considered catholic emancipation would prove most injurious to the interests of the empire, in direct opposition to the sentiments of the noble lord. Mr. Ponsonby said, he did not wish on this occasion to enter into the question of the catholic claims. He had no desire to take up the time of the House by deviating from the question before it; but it was impossible for him to speak of the grievances and disturbances of Ireland, without mentioning the want of catholic emancipation as the first on the list, as the most important in point of principle as it was in policy, and as one of the chief causes of the divisions which existed in that unhappy country.

It had been said, the military arrangements made for Ireland were but temporary, and that the force called for, had been demanded but for one year. He apprehended it was intended to keep it up so long as the necessity for maintaining such an army existed; so long as the causes of the vote now required, should continue to operate. He condemned, as much as any man could do, some of the late proceedings in Ireland. The conduct of a portion of the Catholics, he held to be most unwise, and most injurious to the cause of which they proclaimed themselves the advocates. But while he thus censured the conduct to which he alluded, he felt himself called upon to say, that if those to whom the administration of Irish affairs were entrusted meant to act like statesmen, they would not, on this account, refuse any thing that could be safely conceded to the reasonable part of the Irish community. If they meant to do so, in consequence of the intemperate proceedings of some of the Catholics, they would never succeed in tranquillizing Ireland—never—never—never! Unless something were done to meet the wishes of the great body of the people, it was only by a military force that Ireland could be preserved. If nothing were granted, the army which it was now proposed to keep up, must still be maintained; and how long the circumstances of the world would be such as to put it in our power to do this, he would leave the House in their wisdom to determine.

On the subject of grand juries, he wished to observe, that in the committee formerly appointed, he had suggested that for the due administration of justice in Ireland, it was desirable that the office of sheriff, as a political office, ought to be put an end to. He had long entertained this opinion, and was much gratified to find the right hon. secretary for Ireland acquiesced in this view of the subject. That right hon. gentleman had stated much mischief to have arisen from a measure having for its object the separation of the office of sheriff from politics not having been brought forward before. This was unquestionably true—it was most true that this had been one of the greatest evils in that country. He had lived long enough in Ireland to know the grievances described as arising from this source had not been over-stated. Now that a constitutional alteration was made with respect to this office, he hoped a change for the better would be experienced—he hoped the regulations which had been made would prove effectual. The sheriff would, he trusted, be for the time to come, the minister of law and justice only, and not the instrument of any particular minister. The feelings which had heretofore animated the sheriffs in Ireland in favour of this or of that minister were such, that no adequate idea could be formed of them in this country, and the result of them had been that those placed in that office had been constantly found exerting all their influence—not for the benefit of the country—but for the advantage of the person or party, to whom they were devotedly attached.

It had been said, that it would be difficult to effect a reform in the magistracy of Ireland: he perfectly agreed with this assertion. It would be difficult to effect a reform, but nevertheless this was that which ought to be accomplished. He was of opinion, though a work of toil, it might, and he was sure it ought to be accomplished. He would offer a few further observations on this subject, which was in some degree connected with what he had attempted to do in the office which he once had the honour to hold. When the question on it was first raised, and a committee appointed to inquire into it, he had expressed a hope that there would be a full attendance, not merely of Irish, but of English members. This he had thought a step of great importance; and he did not believe what had been lately done with respect to the sheriffs of Ireland, had been advanced so much by any circumstance, as by that of the full attendance of English members, which had been obtained. He thought these discussions on the state of Ireland did great good, inasmuch as they had the effect of giving those who attended them, information respecting that country, of which they were not possessed before; and from their becoming acquainted with the manner in which the law was there administered, they were led to feel anxious that those arrangements should take place, which he contended were of great importance to the well-being of the country. When he had the honour to hold the great seal for Ireland, he had found that the Catholics were, in point of fact, excluded from many of those offices which they were eligible to fill by law. He had found that a Catholic gentleman was never chosen for a magistrate:—not only the office of sheriff, but even that of a justice of the peace was invariably given to the friends of those who had political power. Such a state of things he had viewed as that which ought not to exist: a complete change he had felt must be effected in Ireland, and all idea of making the officers of justice subservient to political purposes, he was satisfied ought to be at an end. On looking into the state of the magistracy, he had found it to be any thing but what it ought to have been. He found among the magistrates one who had been a waiter at a little inn, and whose office it had been to wait behind the chairs of the grand jury, over whom he was subsequently chosen to preside. He had found several cases in some respects similar to that just alluded to, and to those he had thought it his duty to supply a remedy. He had tried to effect a general reform, and he had undertaken so arduous a task in this way:—he first wrote to every privy counsellor and peer in the kingdom, requesting each to point out to him, without regard to any political or party feeling, any magistrate known to them, against whose continuance in office any fair objection could lie. Acting on this principle, the information which he obtained, enabled him to effect some important changes. He had only been able to apply this plan to two counties, before he retired from office. Enough, however, had been done, to show that a general reform might be effected, and ought to be accomplished, at the first favourable moment. He hoped that duty would be taken upon himself by the noble lord who now held that great seal for Ireland, and he doubted not his efforts would be crowned with success. He would certainly find many difficulties were to be encountered; and he would be placed in situations in which it would be almost impossible to avoid giving offence to those whom he must of necessity be most unwilling to offend; but these things he was sure, would have no effect on that individual's mind, as he would feel that nothing was so important as to go through with the great duty in question, and effectually purify the magistracy of Ireland.

Many of the evils which had been complained of in the sister kingdom, were said to arise from the want of a resident gentry in Ireland. He knew not how to speak on this subject without touching on a question on which he had always been most anxious to preserve silence. Whatever his feelings might have been before the measure to which he alluded had become the law of the realm,—when it had once passed, he wished it not to be disturbed; but, certainly, if he were to dwell on any of its injurious consequences, he must name the absence of a resident gentry as one of them; for this he conceived to be one of the consequences which had naturally flowed from the union. But the right hon. secretary had said, to induce the House to reject the motion of the right hon. baronet, that the object of it would be completely answered by the amendment which he had offered in its stead; and the noble lord had said, (with the same object in view), that ministers would be ready, if the present general motions were abandoned or thrown out, to hear and discuss any motion that might be brought forward on any particular grievance complained of. The noble lord wished propositions to remedy specific evils to originate on that side of the House. What was this but to express a wish on the part of ministers to abandon the duties of government, to their opponents? In no other light could he view a proposition coming from the minister of the Crown, that those opposed to him should bring forward those measures which they thought would be properly applied to specific grievances, promising for himself and his colleagues, that they would hear and attend to them, without bringing forward any plans of their own. This was really to abandon the government of Ireland to their opponents, and perhaps it was not surprising that they should take such a course; for how could it be expected that any plan could be produced for the better administration of Ireland by a government divided like the present? It was almost impossible to expect any regular plan could be adopted by the present administration under existing circumstances; since the state of the cabinet was such, that if one were proposed by the noble lord or his right hon. colleague, it was almost certain they would quarrel with one another, and the breaking up of the administration would probably be the consequence. Such an apprehension, he thought, might be reasonably entertained, but notwithstanding this, it was ridiculous for ministers to hold the language which had fallen from them in this debate, and propose to their opponents to come forward with specific projects for improving the condition of Ireland,—as if they (the opposition) had it in their power to remedy the evils which they could not but deplore. He would ask the Speaker what had been their fate (the fate of the party now opposed to ministers), when they did bring forward a plan for the relief of Ireland? While in office, they had ventured to attempt this; and though they had claimed a very paltry boon, compared with what the sister kingdom ought to receive, what, he would ask, was the result of the effort so made?—Why, the result was this,—they (the then ministers) were all turned out, and many of those who now professed to be much in favour of the measure which was then rejected;—who felt it to be one of great importance, and who were convinced it would be productive of infinite good to Ireland, and of substantial benefit to England;—many of those persons had joined in the cry raised against the administration of that day, as it was said in behalf of the established church [Hear, hear!]. They had had no other inducement held out to them than this, to bring forward specific plans for the relief of Ireland, while they sat on the treasury benches, and what better treatment had they received since they took their seats on the opposite side of the House? They had often made motions on the subject of the grievances complained of, and these had indeed been heard and discussed, but they were never lucky enough to carry any of them [Hear, hear!]. He, for one, would bring no plan forward. If ministers would submit any proposition to the House on the subject, he would attend to it, and enter into it as far as he was able; but he would take upon himself to originate none, as he was satisfied, that any thing suggested from that side of the House, would be sure to be rejected [Hear, hear, hear!]. It had been said of him, that he had talked loudly of the debt of Ireland, as if it were meant to be insinuated, that he was not sorry for the existence of that state of things which he lamented, and had rather felt inclined to exaggerate than to diminish the evils of it, when speaking on that subject. This had been hinted two months ago. He was glad the eyes of the right hon. gentleman opposite, were at length opened to the real state of Ireland. He was glad of this, because if he had made a statement like that which had been heard from the right hon. secretary, it might have been thought that, in taking this course, he was actuated by a desire to excite discontent, rather than to allay those heats which at present unfortunately prevailed. He was glad the statement which they had heard came from a quarter where such a design could not be imputed. From the other side of the House what had been said might tend to do good; but had it come from the opponents of ministers, it might only have served to produce ill blood. He trusted some measure would be brought forward, fitted to the present state of things; but he, for his own part, had none to propose on the subject of Ireland.

He would now put it to the House, if, instead of the motion brought forward by the right hon. baronet, it would be well, under all the circumstances of the case, to adopt the amendment of the right hon. gentleman, which, in point of fact, went to give them no information which was not already before the House? The right hon. gentleman had said the amendment was substantially the same as the motions. He admitted it to be the same as the first paragraph of the motion, but the difference between the motion and the amendment was this:—the first paragraph of the former, which was taken into the amendment, was followed up by a call for a statement of the causes which had produced the present situation of affairs in Ireland. This not being taken into the amendment, the latter would bring forward no useful information, while it went to deprive the motion of its most essential part, and to take from it the power of doing any good whatever. Entertaining this opinion, he should give his negative to the amendment and support the original motion. He was convinced the amendment would tend to supply no real remedy to the evils complained of. If the course recommended by the right hon. gentleman were adopted, it would leave the House just where it found them, and give them no reason to hope that the same causes which now existed to make a military government necessary in Ireland, would not remain to produce a similar arrangement in the next year, and in the year after the next. From the amendment, he could see no grounds for believing that the time would speedily arrive when Ireland would no more be governed by the sword. He hoped the motion of his right hon. friend would be adopted, and that such measures would be devised to meet the grievances now complained of in Ireland, as would at last bring comfort to its inhabitants, and at the same time augment the strength and resources of the British empire [Hear, hear!].

Mr. *Bathurst* rose, amidst loud cries of

Question! question! He endeavoured to point out the difference between the two addresses which had been moved. The arguments of the hon. gentleman who had just sat down, he maintained were futile, and dissimilar to any line of argument adopted during the whole course of the debate.

Sir *Frederic Flood* said, that, as an Irishman and an imperial representative, he could not suffer this opportunity to pass without giving his opinion on the question. In the county which he had the honour of representing, peace, order, and tranquillity had reigned for the last sixteen years. As he understood this subject, there were three principal evils by which Ireland was afflicted. First, the absence of the gentry from the country; and on this point he should be heartily glad if those gentlemen could be obliged to pay out of their own purses for their non-residence; secondly, Catholic emancipation; and upon this head his firm opinion was, that, until it was granted, Ireland could not be relieved from its burthens: and thirdly, education—a subject, he was ready to admit, of great importance; but it was a fact, that there were now in Ireland 5,000 principal shools, besides hedge-schools; for such was the thirst after knowledge among the lower classes of the Irish, that they actually sent their children to obtain instruction under the hedges.

Sir *N. Colthurst* was of opinion, that, if a futile concession were made on each side, measures highly beneficial to Ireland might be devised.

Sir *John Newport* then shortly replied. He contended, that it would be impossible to apply a remedy without knowing the nature and extent of the evil. The object of his motion was, not to procure information of the disturbances, the existence of which was notorious, but to institute an inquiry which should trace them to their sources.

The House then divided:

For the Amendment	187
Against it..........................	103
Majority	—84

HOUSE OF COMMONS.

Monday, April 29.

THANKS OF THE HOUSE TO LORD EDWARD SOMERSET.] Major-general lord Edward Somerset, K. C. B. being come to the House, the Speaker acquainted him that the House had, upon the 23d of June in the last session of parliament, resolved, that the thanks of this House be given to him for his indefatigable zeal and exertions upon the 18th of June, when the French army, commanded by Buonaparté, received a signal and complete defeat; and

The *Speaker* gave him the thanks of the House accordingly, as followeth;

"Major-general lord Edward Somerset;

"At length we are gratified by seeing amongst us one of those distinguished officers to whom this House has voted its thanks for their eminent services in the battle of Waterloo, a victory eclipsing the fame of all other battles fought in those celebrated fields of war, and consummating the glory of the duke of Wellington, with whose great name the gratitude of this House has justly associated that of field marshal Blucher.

"In the narratives of that gigantic conflict, our historians will always relate, that major-general lord Edward Somerset, already known by his brilliant services in the southern provinces of France, held a high and forward command in those gallant charges by the British cavalry which defeated and destroyed the boasted squadrons of cuirassiers. They will relate also, that lieutenant-general sir Henry Clinton, who had in five former battles commanded divisions of that heroic army which rescued Portugal and Spain, maintained a conspicuous post in the support of that embattled line where the British guards repulsed and put to flight the imperial guards of France. Nor will those other illustrious men be forgotten, who might now have been standing up amongst us to receive our thanks, if the fate of war had not laid them low in their grave of glory, soldiers long dear to the affections and remembrance of their country, which will never cease to revere and regret, the veteran but ardent valour of Picton, or the bright and rising honours of Ponsonby.

"The days, indeed, of these our mingled triumphs and griefs are now concluded. Other scenes have opened, and other cares have arisen to demand our vigilance. From the long contest, however, now happily closed, this durable advantage has resulted to our country. We have proved to ourselves, the value of those manly habits and institutions which have established the superiority of our national character; and such splendid examples of skill, valour, and constancy, as we have had this day to commemorate, will deeply impress upon our enemies, and upon our allies, in all ages, a just respect for the counsels and arms of this empire.

"The special duty which I have this day to discharge is, to deliver to you the thanks of this House for your last great services. And I do therefore now, in the name and by the command of the Commons of Great Britain and Ireland in parliament assembled, deliver to you their unanimous thanks for your indefatigable zeal and exertions upon the 18th of June 1815, when the French army, commanded by Buonaparté, received a signal and complete defeat."

Upon which lord *Edward Somerset* said,

"Mr. Speaker;

"I beg to express to the House the high sense I entertain of so distinguished a mark of its approbation conferred upon me for my conduct in the memorable battle of Waterloo: deeply impressed with the importance of such an honour, I am conscious that I want words to convey in adequate terms my sentiments on this occasion. Sir, whatever merit my humble exertions in this great conflict may be deemed entitled to, I cannot but attribute to the fortunate circumstance of my being placed in command of a brigade, whose persevering gallantry, discipline, and intrepidity, contributed so largely to the success of this important day. Animated by the example of that great man, under whose command we had the honour to serve, and who had so often led us to victory and to honour, every individual of the British army was naturally inspired with but one feeling: that feeling, and a well-grounded confidence in their commander, enabled them to surmount the most formidable obstacles, and to bring the contest to a successful issue: that it was my lot to form part of the army on that day, and that my conduct should be deemed worthy of receiving the thanks of this House, will be ever to me a source of the utmost satisfaction, and will be remembered with pride and gratitude to the latest period of my existence.

"I cannot conclude without expressing to you, Sir, how sensible I am of the flattering terms in which you have been pleased to communicate to me the resolutions of the House on this occasion."

Ordered, *nem. con.* That what has been now said by Mr. Speaker, in giving the thanks of this House to major-general lord Edward Somerset, together with his answer thereto, to be printed in the votes of this day.

Alien Bill.] Sir *Samuel Romilly*, understanding that the second reading of the Alien Bill was fixed for this day, begged to state, that there were some accounts for which he was desirous of moving, and the production of which he thought indispensable to the House before this bill proceeded through any further stage. He alluded to an account of the number of aliens sent out of this country at the instance of the minister of any other country.

Mr. *Addington* begged the hon. and learned gentleman would give notice of this motion.

Sir *Samuel Romilly* then gave notice for Wednesday, adding, that he presumed the second reading of the alien bill would be postponed.

Mr. *Addington* said, that if he had brought in the bill himself, he should have moved the order of the day, for the purpose of postponing the second reading till to-morrow, on account of the bill not being yet printed, or in the hands of the members. In the absence of his noble friend (lord Castlereagh), he would now venture to move the order for the second reading, with the view of having it discharged.

Mr. *Horner* thought it important that some day should be fixed for the second reading of this bill, when gentlemen might come down with a certainty of entering upon the discussion. This was impossible, he thought, to-morrow, and therefore some more distant day ought to be appointed. He could not here help alluding to the manner in which this bill had been introduced to the House. Leave was moved for, on one night, after a long discussion, and when very few members were in the House. It was subsequently brought in, and read a first time, under similar circumstances, and at two o'clock in the morning the second reading was fixed for this day. This was a sort of precipitation which he could not help thinking savoured of a disposition to steal a march, which, with a bill of so much importance, he considered extremely reprehensible. This was a bill which should be discussed in all its stages; he therefore hoped some distant day would be named, on which they might all come prepared to meet the question fairly.

Mr. *Addington* said, that of course there would be an opportunity afforded of discussing the bill on the motion for its second reading, which was the usual stage for discussing the principle of a bill. There was however, a necessity in the present case, that no time should be lost, as the existing act would expire on the 12th of May. He had no objection, on the part of his noble friend, to comply with the suggestion of the hon. gentleman by postponing the second reading till Wednesday, as there would be a pressure of business to-morrow before the House.

Sir *James Mackintosh* objected to Wednesday as too early a day. It would be impossible for the House to be furnished with the necessary papers and information upon the subject, so as to come to the discussion on Wednesday.

The motion being put, that the said bill be read a second time on Wednesday,

Sir *S. Romilly* observed, that the expiration of the late act was no sufficient reason why ministers should wish to press this measure with such haste through the House. The country could not be in any danger from the number of aliens who were now in it, more particularly as we were at peace.

Mr. *Addington* observed, that if any great mass of business should occur on Wednesday, the second reading might then be further postponed till Friday.

Mr. *Horner* thought it better to have a day fixed when the bill would certainly come on. If it were fixed for Friday, it would come in the orders, and would take precedence of any motions which might be for that day.

Mr. *Sharp* observed, that the question was one of great commercial importance, and therefore the bill ought not to be hurried through the House.

Mr. *Long* said, there could be no objection to let the second reading stand for Wednesday, on the understanding that if it could not be properly discussed then, it would be farther postponed.

Mr. *Brougham* said, that this was a measure of such importance, that it should not be allowed to pass through the House at uncertain times. It required the most mature consideration, and therefore it would be better to fix some certain day for the discussion. With this view he would propose Monday next. The measure was a most extraordinary one, and he could see no reason for hurrying it through the House. The right hon. gentleman opposite talked of the necessity of the measure as being most urgent; as if the country was in the most imminent danger; as if there were 20,000 foreigners in the kingdom ready to rise up in rebellion, and to be assisted by an invading enemy, just ready to dart down upon our coasts.

Mr. *Long* did not know whether the hon. and learned gentleman who spoke last meant to allude to him as one of those who talked of this bill in the way which he had described; if so, he was certainly much mistaken. Such mistakes were very usual with that hon. and learned gentleman, for he sometimes said that he (Mr. Long) and his friends were laughing, although they had been looking as grave as possible. He could only say, that he wished the second reading of the bill might be fixed for a day on which it might be understood, that if it could not come on it would be farther postponed.

Mr. *Douglas* thought Wednesday too early a day.

Sir *F. Burdett* said, he had heard no good reason why the bill should be hurried through the House. Friday, in his opinion, would be a proper day to fix for the second reading.

Mr. *Abercrombie* moved, as an amendment, that the bill be read a second time on Friday.

Lord *Binning* hoped his right hon. friend would not consent to give up his motion for Wednesday.

Mr. *Horner* observed on the various public business that stood for Wednesday, and even for Friday, which, if it came forward, would still further postpone the bill.

Mr. *H. Addington* observed, that he was not anxious to hurry the bill through the House, but he had heard no sufficient reason assigned for its being postponed.

The House then divided, when there appeared

For the Amendment	62
For the original motion	117
Majority	—55

The bill was then ordered to be read a second time on Wednesday.

Wool Trade.] Mr. *Frankland Lewis*, chairman of the select committee appointed to examine the policy of imposing an increased duty on the import of foreign seeds, and who were instructed to consider of the laws relative to woollen goods, and the trade in wool, and also to consider of the laws prohibiting the growth of tobacco in Great Britain, before he brought up the report of that committee on the subject of wool, begged to remark, that an alarm had been excited among the manufacturers of woollen cloth, and, in consequence, many petitions had been presented to the House, which were in fact utterly unnecessary, inasmuch as the fears entertained by the petitioners were groundless. The committee had directed their inquiries to the price of wool, from the year 1780 down to the latest period, and the result of their inquiries was, that for the last ten years the price of wool, so far from decreasing, had increased. The committee, therefore, had come to a resolution, "That it is the opinion of this committee, founded upon the examination of evidence relative to the prices of British Wool, that no part of the present agricultural distress arises from the inadequacy of those prices, and, therefore, that it is not expedient to make any alteration in the laws relating to woollen goods and the trade in wool." But he begged to observe that, on the main question, no consideration or inquiry had taken place. As to the question of taking off the duties, the House was no nearer it than before. He should make no further comment; but, whether right or wrong, nothing was done to assist the House further by the report, which he then brought up.

Lord *Lascelles* said, that representing as he did a county that was one of the principal seats of the woollen manufactory, he had of course had many communications on this subject. The object of the committee had not been sufficiently understood by the manufacturers: it was not to prevent the importation of foreign wool, but to see whether such a duty might be imposed upon it, as to encourage the home-growers of wool, and also to consider whether the home wool should be permitted to be exported: but it being found by the committee that wool had been constantly rising in price for the last ten years, there appeared to them no reason for altering the laws on the subject. He was decidedly adverse to any alteration, thinking that a brisk trade of our woollens was the best encouragement that the wool-grower could receive.

Mr. *Western* stated, that he was prevented from attending the committee, except at its last sitting, by his avocations at the quarter sessions. It surprised him very much to find, however, that it had only sat three days, and then came to the resolution now stated. The object of the committee's appointment, he conceived, was, to see whether the wool-growers of this country should have some protection from the competition of the immense quantities of foreign wool now imported, and which had increased within a few years from five to fifteen millions of pounds. The committee, however, instead of making those investigations which they were directed to do, had merely inquired into the prices of wool for the last twenty years, and these prices they had taken from the mouths of the manufacturers themselves. They had heard no evidence from other persons interested; but, on these *ex-parte* statements, had come to the resolution, that it was inexpedient to give the wool-grower any advantage in the home-market. He protested against the report.

Mr. *Brougham* also expressed his astonishment at the nature of the report. The committee was appointed to inquire into one thing, and they had inquired into another. It was in fact no inquiry at all, so far as related to the matters referred to them. In support of this, he begged that the instructions given to the committee should be read. This being done by the clerk at the table, the hon. and learned member contended, that the business assigned to them was to inquire into the policy of any increase of duties on the importation of foreign wool, into the trade in wool generally, and into the laws on wool as they now existed. These topics they had entirely overlooked. No one had asserted that the agricultural distresses proceeded from the low price of wool: on the contrary it was expressly stated, that had it not been for the good prices of wool, these distresses would have been much greater than they actually were. But the question was, were these high prices likely to continue, occasioned as they were by the large Russian orders for clothing 200,000 men, by which many districts were busily employed for the present? Had we not, however, rather reason to apprehend that, when these temporary demands were over, wool would be as low as other articles of agricultural produce? Now, what was the fact as to this report? The committee had not called a single wool-grower; the whole amount of their full and impartial inquiry had been to examine a few woollen-manufacturers. They had, in fact, considered only one branch of the important subject assigned to them. He felt a strong disposition to oppose the report being laid on the table, and to move that the whole be referred back to the committee for further consideration, because, if received, it would be a vain attempt during the rest of the session to fight up against the weight of the committee.

Mr. *Calcraft* considered the present discussion irregular, seeing that the merits of the report were not yet before the House. He never recollected such a course to have been taken on any former occasion. The resolution that had been adopted by the committee was proposed by the hon. chairman himself, and no division had taken place on the subject. His hon. and learned friend who spoke last had held extraordinary language as to the conduct of the committee, and had laid down extraordinary rules for the guidance of committees in general. He said, a committee ought to examine, no matter whether such an examination appeared to be necessary or not, every part of every subject referred to them. Now he, on the contrary, would maintain, that there was a discretion given to every committee, to investigate a subject as far as they might deem necessary, and that they were not bound to proceed an inch further. He was convinced, when the House saw the report, and the evidence on which it was founded, which his hon. and learned friend treated as if it were no evidence, they would be of opinion that the committee had encouraged a just and fair investigation of the subject, and had gone as far as the necessity of the case seemed to require. Before he went into that committee, he felt strongly against the agitation of the question at all; and what was disclosed, in the course of the inquiry, rendered his opinion, that this was the worst moment that could possibly be selected for disturbing the system by which the woollen trade was regulated, still more decided. It appeared, on examination, that the price of wool did not occasion, nor add to, the agricultural distress; and, until the contrary was shown, he would contend that the committee had acted correctly in agreeing to the resolution which his hon. and learned friend objected to, since it would prevent the excitement of a discontented spirit in the manufacturing counties.

Lord *Milton* concurred in a great part of what had fallen from the hon. gentleman who had last spoken. An additional duty on the importation of foreign wool. would, it appeared to him, not only be unadvisable, but absolutely ruinous to our woollen trade. It was said, that the committee had not gone so far into the subject of the exportation of wool, as they ought to have done. Now, what was the question referred to them? It was not an abstract question relative to the exportation or importation of wool, generally —but as that exportation or importation was connected with the agricultural distresses of the country. The committee up stairs took its rise in a committee of the whole House, instituted to consider of those agricultural distresses. Subsequently to the formation of that committee, but growing out of it, a committee was appointed, to inquire into the importation of seeds into this country—and to that committee the question of the woollen trade was referred, but the whole subject had reference to the agricultural distresses. The committee were satisfied, that the woollen laws, as they at present existed, and as they affected the agricultural interest, ought not to be changed. It appeared to him, that though they had not gone into the inquiry at great length, they had investigated the subject sufficiently to enable them to say, as they had done, that it was inexpedient to alter the laws, relative to the woollen trade, at the present moment.

Mr. *Frankland Lewis* said, that, in bringing up the minutes of evidence taken before the committee, he did not conceive he had committed any very material impropriety, when he offered a few observations to the House. With respect to there having been no difference of opinion in the committee, and no resolution brought forward, except that proposed by himself, he wished to say a few words. At the first meeting of the committee, they were called on to consider the price of wool, at former periods, and at the present. He advised a different course; and stated the reasons which called for its adoption. His proposition was, to inquire into the effect which a small duty on the importation of foreign wool, would probably occasion. The committee distinctly dissented from his motion, which was negatived. To the resolution, which was then proposed, he suggested certain verbal amendments, to enable him and others to agree to it, without sacrificing that opinion, which they conceived to be correct.

Mr. *Calcraft* observed, that his statement merely went to this, that a resolution, proceeding to a certain extent, was agreed to, and that no division took place on it.

Mr. *Brooke* said, he coincided in the opinion of the committee. No necessity existed for altering the laws relating to the woollen trade.

Sir *J. Newport* was of opinion, that the committee had narrowed their examination of this question in a very great degree. Having it proved in evidence before them that certain prices were given for the raw material, it was then thought necessary that the proceedings of the committee should be speedily closed. Certainly, when such a determination was come to, full notice should have been given to every member of the committee. Now here a decision had been formed, after an examination of two days; and, on the morning of the third, a notice was sent round, stating, that it would be proposed, on that day, to close their proceedings. As a member of the committee, he received a notice about two hours before the period appointed for their meeting, and it so happened that it was utterly impossible for him to attend. It certainly did appear to him, that, when it was contemplated to close the proceedings of the committee, two or three days notice ought to have been given. In consequence of this precipitation, the hon. member for Essex only arrived time enough to hear the discussion of the question, whether the proceedings of the committee should be closed or not.

Lord *Lascelles* said, he gave regular notice, on Friday, that he intended to move for the dissolution of the committee, and he supposed a circular letter was, in consequence immediately sent to every member.

Sir *J. Newport* said, he received his notice at eleven o'clock in the morning of the day fixed for moving that the proceedings of the committee should be closed. One o'clock was the hour of meeting.

Mr. *J. P. Grant* said, he was a member of the committee, and supposed, from the first, that it was appointed to consider the laws relating to the woollen trade. Believing this, he had not attended on the first day; for he thought it was as impossible to go through a subject of this magnitude in two days, as to conclude the business of the session in that period. On the day when it was proposed to close the proceedings of the committee, he received a notice about eleven o'clock. He could not attend, on that occasion, being obliged to meet another committee, on the laws relative to distillation. He regretted, most sincerely, that the committee had pursued a course so little likely to answer the ends for which it was formed, much less to give satisfaction to those who were most deeply interested in the inquiry.

Mr. *Thompson* applauded the conduct of the committee in making a speedy report, which would tend to allay the agitation created throughout the country by the consideration of the question. He was sure, that, had it not been out of respect for the hon. member for Essex, no committee would have been appointed, because no general desire existed to investigate the question. He did not know how many agriculturists had demanded an alteration of the woollen laws, but he believed the petitions that touched on that subject were very few. The agriculturists had no right to complain of the price of wool. At no time had that article produced a higher price; especially coarse wool, which foreigners particularly wanted. But, in order that we might still maintain our superiority over the foreign manufacturer, it was essentially necessary that our coarse wool should be kept at home.

The *Chancellor of the Exchequer* considered the present discussion as extremely premature. It was an extraordinary course of proceeding to debate on the contents of a report, of which, not having been received, the House could know nothing. When the report had been read, it would be competent for any hon. member who thought the committee had not effected the object the House had in view, to move that they should proceed farther in their inquiry, or that the report should be referred back to them.

Sir *James Graham* defended the course adopted by the committee, whose labours were not confined to two, but extended to three days. (A laugh.) On the first day of their meeting, it was distinctly stated, that the wool-growers should come forward to show the necessity of an alteration in the law; but not one of them appeared. It was then suggested by gentlemen who now found fault with the proceedings of the committee, that the woolstaplers would be the best evidence. They were accordingly called in and examined; and nothing was since offered, or attempted to be offered, in contravention of their evidence. It was, therefore, an attempt to impose on the House, to assert, that no evidence was before the committee.

Sir *J. Newport* said, that no evidence on the part of the agriculturalists was examined. When the wool-staplers were called in, he stated that the hon. member for Essex was not in town, and requested the committee to postpone the examination till he arrived, but his suggestion was not attended to.

Mr. *Barham* differed from his hon. friend (Mr. Calcraft) as to the discretion vested in a committee. His hon. friend said, that a committee must perform their duty, according to the dictates of their discretion. He, however, would contend, that a committee had no right to abandon any part of a subject which the House ordered them to investigate. They had no discretion by which they were at liberty to narrow their examination in any degree. Here, however, the committee had contracted their investigation very much. The only evidence called on the subject was *ex parte* evidence; and how they could conceive such a proceeding to be the best way of coming at the truth, he was very much at a loss to guess.

Lord *Stanley* said, the committee was in existence before Easter, and consequently it was in the power of the agriculturalists to adduce any evidence they might think proper. It was not a question with respect merely to agriculture, but one of general policy; and the committee felt it to be their duty to inquire how far, by an alteration in the woollen laws, the country could be benefited. They found, so far from the growers of wool suffering any distress under the present system, that they were all perfectly satisfied with their prices, which were higher now than they had been for many years. No case having been made out, to show that the agriculturists had a right to complain of the present prices of wool, the committee thought it was most prudent not to meddle with the existing laws, and to close their proceedings as soon as possible, lest by an injudicious interference they might seriously injure the woollen trade.

Mr. *Finlay* was of opinion that the committee had acted properly in closing their proceedings as soon as possible. In the abstract he thought the importation and exportation of wool ought to be equally free; but, from the evidence, he was led to believe, that if such a principle were acted on immediately, its effects on the woollen trade would be highly injurious.

The report was then brought up, and the resolution was read. On the question "that the report be laid on the table,"

Mr. *Thornton*, before he went into the committee, had thought it necessary to alter the laws respecting wool; but in the course of the inquiry he had found the error of that opinion. The doors of the committee were, he said, surrounded by persons absolutely clamorous with their petitions; and the committee had come to the decision, that the agricultural distress was not caused by the price of wool.

Mr. *F. Lewis* observed, that the proposition which he had made to the committee at the outset of the business having been negatived by a large majority, and another motion having been adopted, their subsequent proceedings had been consistent enough with those decisions. It was, in his opinion, not at all necessary that the agricultural interest should be obliged to make out a case; but it was the duty of the committee itself to institute any inquiry which they might think necessary. No evidence was necessary to prove, that a duty on importation would be a protection to the home grower, or that the extension of his market would be a benefit to him. The committee had, however, so early decided on the main point, that all subsequent inquiry was unavailing.

Sir *M. W. Ridley* did not approve of the line of conduct adopted by the committee, though he thought as far as the evidence went, they had given a just opinion as to the result.

Lord *Stanley* thought the line taken by the committee too narrow.

Mr. *Brougham* said, it was very doubtful whether the report was worth the expense of printing. They had heard of the influence under which it was drawn up, viz. that of the manufacturing interest only, who, on these occasions, with a zeal worthy of imitation by the agricultural interest, were always ready with their agents and their evidence. As the agricultural interest did not nor could display the same activity, it became the duty of the House to attend to their interests for them. The ferment which had been dreaded was now laid, and he hoped the report would be taken only for as much as it was worth—which was little or nothing. It consisted of a truism, and a *non sequitur*. It stated that the price of wool had not been a cause of the agricultural distress. No one could say it had been, but it had been imagined that it might be the means of affording relief to that distress. The inference which the committee had drawn from their first proposition was any thing but a legitimate one—that therefore there was no cause to alter the laws on this subject. On the other hand, he thought, that to legislate under difficulties was the worst mode of proceeding in the world; and that therefore, if the wool laws were in a defective state, the present was a better moment for amending them than if the market had been in a bad state. It was on the same principle that he objected to the motion on the usury laws, the repeal of which would be an extremely good measure, but which he did not think should be considered under the pressure of temporary difficulties.

Lord *Lascelles* said, the committee were not unanimous, except on their last vote. He believed that no member of it had received any representations from the growers of wool. It was highly necessary to allay the ferment that existed, and he hoped that any member who had a motion to make on the subject would give early notice.

Lord *Milton* concurred with his hon. and learned friend as to what was the proper season for legislating, but thought his hon. and learned friend rather hard on the committee, as the question before it bore only on the agricultural distress, and immediately on the question of exportation.

Mr. *Calcraft* contended, that the farmers had an interest in the prosperity of the wool market as much as the manufacturers.

The report was ordered to lie on the table, and to be printed.

Irish Election Bill.] Mr. *Dominic Browne* moved the order of the day, for taking into further consideration the report on the bill to limit the duration of polls, and to establish scrutinies, and for making other regulations touching the election of members to serve in parliament for places in Ireland. The order of the day being read, the hon. member entered into a comparative review of the present law of elections in Ireland, and the bill which he proposed to enact. By the present laws a sheriff might protract the election to almost any extent, and thereby cause a ruinous expense to the candidates; but by his bill the poll would be closed within twenty days from its commencement. He was aware that it might be objected, that a sheriff, if he favoured one candidate, might protract the polling in the hostile booths; but to prevent that, he would propose that it should be imperative on the sheriff to poll eighty every day in each booth. The bill would, however, be better examined in the future committee; he would therefore move, that it be re-committed on Friday next.

Mr. *Ponsonby* said, that after the several clauses proposed by his hon. friend should be introduced, he should propose to have the bill printed, in order that its merits might be fully considered.

Sir *Frederic Flood* opposed the bill notwithstanding its improvements, especially on account of the clause by which voters were to show their leases to prove their right of voting. Supposing that they lived in different parts of a county, which they generally did, and had 60 or 80 miles to go with their leases, they would run the risk of losing the only document on which their property and their elective rights were founded.

Sir *J. Newport* strongly supported the bill, and dwelt upon the litigation, difficulty, and delay attending Irish elections, especially where the returning officer had any bias. The difficulty and delay he instanced in his own case, where the election was extended to 15 days, although there were only 900 voters to poll. But when he had to petition against the return, the scrutiny continued no less than 76 days in Ireland, and 16 days before the committee of that House, before his claim was established. Such a system was, the House must feel, calculated to weary out any candidate; and as the evils belonging to the system were imposed upon the Irish representatives, by the Union, it was peculiarly the duty of the imperial parliament to remove them.

Sir *H. Parnell* spoke in favour of the measure, for the introduction of which he thought the Irish representatives peculiarly indebted to his hon. friend. For it was known that candidates were too often harassed by the length of the poll, which in some cases had extended to 70, nay, to 80 days.

Mr. *Ponsonby* observed, that no beneficial effect could possibly result from the present discussion, and he trusted, therefore, the House would abstain from prosecuting it any further.

The bill was ordered to be re-committed on Friday.

IRISH CLERK OF THE PLEAS FEES BILL.] Mr. *Peel* rose, pursuant to notice, to move for leave to bring in a bill for securing the profits of the office of Clerk of the Pleas of the court of Exchequer in Ireland. He said he was anxious, in consequence of what had passed on a preceding evening, to take the earliest opportunity of explaining the nature and object of the proposed bill. It was matter of notoriety, that upon the death of the late earl of Buckinghamshire, the office of clerk of the pleas in Ireland became vacant, and it was a matter of equal notoriety, that the office itself was one which parliament had declared required regulation. A right hon. baronet, the member for Waterford, had drawn the attention of the House to that office in the course of the last session, and a pledge was then given, that whenever it should become vacant some measures would be adopted for its revision. When the earl of Buckinghamshire died, he certainly thought that the right of appointment to the office rested in the Crown, and it was his intention to fulfil the pledge for regulating it before any appointment was made. In the mean time, however, the chief baron of the Irish exchequer, conceiving the right to belong to him, had nominated a person to the office, and the nominee had been regularly sworn in. The bill which he meant to propose would not interfere in any way with that appointment, as the question whether the right belonged to the Crown or to that individual would be determined by the decision of a court of law. But then, when it was considered how great a delay might arise before that decision was given, and the great extent of emoluments attached to the office, the legality of many of which was much doubted, a question naturally arose in what way they were to be disposed of. With respect to the Crown, no appointment would be made by it, except for the mere purpose of trying the right, and, therefore, whoever the person might be so appointed, he would have no claim to the fees or emoluments. He certainly could not think it would be expedient to leave profits so immense at the uncontrolled disposal of the individuals receiving them. It was his object, therefore, to propose the bringing in of a bill, which should provide, after a certain day to be therein named, that the profits of the office should be impounded, till the question was decided in a court of law as to who had the right of nomination. The persons receiving the fees would be compelled, at the expiration of each quarter, to give an account of their amount, and to pay them into the treasury. Of course it would be necessary, meanwhile, that some adequate provision should be made for those who performed the duties of the several offices, and that, he thought, might be left to the discretion of the Irish government. These were the objects of the bill. With regard to the principle of vested rights, he did not see how it could apply in any manner to the present question. The office had been declared, long ago, a fit subject for regulation. Besides, considerable doubts existed as to the legality of many of the fees, and certainly whatever might be said about vested rights generally, it could not be pretended to urge a vested right in favour of emoluments which might be declared, in themselves, illegal. The right hon. gentleman concluded by moving, "That leave be given to bring in a bill to secure the profits of the office of the clerk of the pleas of his majesty's court of exchequer in Ireland, whilst the right of appointment to the said office is in litigation."

Sir *John Newport* highly approved of the measure which the right hon. secretary proposed. He believed that the fees of this office amounted to 35,000*l.* a year, three-fourths of which were illegally taken. It would now be seen that he was perfectly warranted in stating, on a former occasion, that great abuses existed in the courts of justice in Ireland; and he was convinced that the most important benefits would be derived from prosecuting a complete inquiry on that subject.

Mr. *Peel* hoped that he should not be understood to have said that three-fourths of the fees were illegal.

Sir *John Newport* said, he had not alluded to what had fallen from the right hon. gentleman, but to a statement that had been made on the preceding Friday. The illegal fees taken in that court amounted almost to a denial of justice.

Mr. *Bathurst* denied that he had accused the right hon. baronet of exaggeration, in what related to Ireland. If he remembered rightly, he admitted the probability that he was correct in that point, from the greater opportunities which he had of acquiring information. What he complained of was, the sweeping nature of his censure, as applicable to all the offices both in England and Scotland.

Mr. *Leslie Foster* said, he had not meant, on a former night, to be understood to say, that three-fourths of the fees were illegal. He had merely stated that the fees altogether amounted to about 30,000*l.*, of which the majority were illegal. The duties of the clerk of the pleas were usually done by his deputies and clerks, all appointed by himself; but the fault was, that the actual salaries were very small, being 100*l.* a year to the first deputy, 60*l.* to a second, 50*l.* to one set of clerks, and 20*l.* to another, but those persons were allowed to exact in fees what they might deem an adequate remuneration.

Mr. *Horner* said, that if any thing were wanting to show the importance of this question, the statement which had been just made was enough to satisfy the mind of every member. Abuses would perpetually arise in courts of justice, if the vigilant and censorious eye of parliament were not fixed upon them. Great benefits would arise from the labours of the committee that had been appointed to inquire into the state of the courts in Ireland; and all who were present must rejoice that the duty had fallen into such able and upright hands. With respect to the particular question before the house, he thought the right hon. secretary had taken a very accurate view of it. As to vested rights, he considered that the notions of property ought to be held most sacred: all property was the creature of the law, and ought to be respected by the law, more especially in popular governments; but the doctrine of vested rights could not be applied to the present case. It would be ridiculous in the extreme to contend, that there existed a vested right in the chief baron of the exchequer to appoint a person to this office; and he was glad to find that nobody in that House had ventured to advance such a proposition. He thought, however, that the profits should be impounded from the period of the death of the earl of Buckinghamshire; and as they all agreed that the office should be regulated, he did not see why they should not proceed at once to make a regulation. The House should fix the duties which ought to be performed, and specify the amount of the emoluments to be received. He pressed upon the right hon. gentleman to regulate the office in the present session; and he gave it as his recommendation that it should be regulated on such principles as would not allow it any longer to be a sinecure, or permit the person who drew the emoluments to reside in England, at a distance from the scene of its duties.

Mr. *Peel*, in reply, stated, that the officers in question would be compelled to account for the whole of the fees, from the time that the office became vacant by the death of its late holder. The present bill had no reference to the regulation of the office: it went merely to provide that its emoluments might receive their proper destination after the right to possess them was decided. The bill for regulating it could not be introduced till the report of the commissioners was received. Any enactment that should be made, before this report was received, would be made in the dark.

Mr. *Horner* admitted the validity of the observation made by the right hon. gentleman, but trusted the commissioners would be enabled to make a special report upon this particular office. If he was in the habit of making compliments across the table, he said he should give the right hon. gentleman credit for both the show and the reality of zeal that he had evinced during the whole of this business.

Mr. *Leslie Foster* explained the cause of the delay which had arisen in the arrangement of the commissioners report. They had had more than one hundred sets of fees to inquire into, besides the ramifications involved in their examination. There was one of the offices which in its return stated an individual without specifying what his duties were; indeed, they knew not in what manner to designate them, and yet when the commissioners entered upon a particular examination into the occupation of the individual, they traced to him the receipts of fifty-three fees, producing about 1,300*l.* a-year. In fact, the regulation, or re-modelling of the fees of the court of exchequer, involved the whole machinery of judicial proceedings in Ireland; it was therefore imperative on the commissioners to proceed with certainty, but with caution. When they had been called upon to inquire into the exchequer office, they were within a week of making a report on the state of the court of chancery. Still, however, notwithstanding the difficulties that interposed, they hoped to have it in their power to make the report in the course of the present session. To show the nature of the enormous accumulation of fees in the courts of Ireland, he had to state, that in the office of the clerk of the court of errors, the fee of 1*s.* 6*d.* a sheet had, in a single case, amounted to the enormous sum of 459*l.* This accumulation arose from a vicious multiplication of the ratio laid down for the fees. This sort of proceeding ran through the whole system. He had known an instance where a judge's registrar charged 161*l.* for a single attendance on a particular trial. He had also known that where a master in chancery was allowed 2*s.* 6*d.* fee, and 10*s.* 6*d.* for attendance, 400*l.* had been charged in a single case. It was equally within his knowledge, that in the six clerks' office 1,300 attendances had been in one case charged; and where copies of decrees were wanted, at a fee of 8*d.* a sheet, above 500*l.* was charged, exclusive of 400*l.* for attendance. The registrar of the court of chancery had 1*s.* a sheet, which often amounted to 150*l.* In fact, there was no end to the irrelevant matter that was introduced into those sort of sheets, for no other purpose than to augment the fees. The commissioners had not only to wade through all those details, but to fight their way inch by inch. The system of taxing costs was also open to every species of abuse; the tax officers were often the deputies of the principal, and therefore not deeply interested in reducing the amount of fees. Now, the first deputy in the exchequer had his salary arranged in 1803: he was left 1,000*l.* in fees, and a compensation of 2,000*l.* a-year; out of the 1,000*l.* in fees, he, however, created an augmentation of 5,000*l.*, so that his whole income was now 7,000*l.* a-year. There was evidently a radical error in this mode of compensation. The commissioners had, therefore, to proceed upon a complete principle of revision, and he hoped the House would not, in the end, be dissatisfied with their services.

Mr. *William Smith* observed, that he had heard the statement of the hon. gentleman with a mixture of surprise, indignation, and pleasure—surprise at the existence of such abuses, indignation at their extent, and pleasure at the accuracy and industry that the hon. gentleman and his fellow commissioners had displayed in probing the subject to the bottom. Those abuses, however, were not confined to Ireland: he was informed that in one court in this country, the hand of taxation was more gently exercised than in the others, with a view, perhaps, among the inferior officers, of attracting more business. The union of Ireland with this country would greatly facilitate the revision of the abuses complained of, as it would not expose them to discussion amidst local prejudices and interests. The hon. gentleman concluded by hinting, that he would shortly bring before the House the great evil of certain practices in the revenue board.

Mr. *L. Foster* thought it proper to expose the unwillingness of the inferior officers to give the necessary information to the commissioners, by which their labours were protracted; but their conduct had never had the support of their superiors.

Mr. *Ponsonby* was quite satisfied that the matter should rest with the commissioners already employed. The result of the inquiry had now proved what he had anticipated last session, namely, that nothing could be more futile than the objection taken to this inquiry, on the ground of its casting an imputation on the judges. He had filled a high judicial station in Ireland, and he assured the hon. gentleman that the practices stated by him were quite new to his ears; indeed, the parties were evidently interested in preventing their reaching the judgment seat. As to the Union, he would only say, that the facility of suitors obtaining redress, must have been injured, not served, by it; as they could not follow up those applications in this country, which were necessarily attended with a heavy expense. He hoped the report of the commissioners would soon be ready—at all events, he was willing to wait for it.

Mr. *Preston* thought the abuses complained of amounted to a complete denial of justice, and were of themselves calculated to create the disaffection complained of in that country. He spoke strongly on the extent of the evil, and on the criminal conduct of many persons, attornies and others, in not exposing long ago such flagrant abuses. It was not for want of provision in the law, but from a dereliction of duty in the officers, that the abuses had so long prevailed.

Leave was then given to bring in the bill.

HOUSE OF COMMONS.

Tuesday, April 30.

FUNERAL CERTIFICATES BILL.] Sir

Egerton Brydges, in rising pursuant to his notice, to move for leave to bring in a bill "to revive the Registration of Certificates of the deaths, burials, marriages, and issue, of the nobility and gentry, and of other persons dying possessed of property to a certain amount," begged to say a few words in explanation of having delayed this measure, after having obtained leave to bring in a similar bill in the last session of parliament. The fact was, that he then found himself so late in the session, and the measure required so much deliberation, that he preferred postponing it to bringing a crude and indigested measure before the House. The subject itself was one not, as might be supposed, of mere curiosity or pride, but intended for the great and general purposes of business. It was not new. A similar measure had been attempted more than once in the last half of the seventeenth century; and in 1685, a bill, under a similar title, was not only brought into this House, but was actually read a second time, and lost on a question of going into the committee, by 83 to 75; yet in a manner that shows it was rejected only on some matter of form; for leave was given the same day to bring in another bill with the same title. There are no farther traces to be found of it; but this may be accounted for by the disturbed state of that reign: as it appears by the Journals, that the House met scarcely at all during the following year, 1686—and the revolution soon after ensued. As to the bill itself, sir Egerton said, he had that very morning recovered from a mass of old documents in the Herald's college, a copy of it, which he then held in his hand. He had examined this bill with a great deal of curiosity, and found the main objects to agree with his own, though it differed in the mode at least of some of its provisions. The bill indeed contained some clauses, which might be fairly objectionable; particularly as to the fees, which it must be confessed were exorbitant for those times; and in which his (sir E's) own bill, as he should presently explain, would be found as much the reverse. Perhaps it was not generally known that these funeral certificates, though not under the authority of any legislative enactment, were so far from being new, that they had existed under the earl marshal's orders from the time of king Henry 8th, even so late as the reign of queen Anne. Indeed one instance occurred so late as 1773, on the death of the last duke of Kingston, after an interval of 58 years, when one had been taken on the death of John Sheffield, duke of Buckinghamshire. These funeral certificates were preserved in 30 volumes, in the Herald's College; and formed the most invaluable, satisfactory, and complete documents that ever existed, for the purposes of proving the facts they embraced. Not a single instance had ever occurred of their having been proved erroneous; and when confirmed by the requisite attestations, they had always been admitted in courts of law, as evidence of a high kind. As to the details of the bill, and the machinery which sir Egerton said he had adopted for effectuating his purpose, he would not fatigue the House by going into it. If leave was given to bring in the bill, those would be best seen and understood when the bill had been read a first time, and printed. He could not himself anticipate any objection to that machinery: he had endeavoured to make it as simple as possible; and at the same time practical and certain in its operation: but of that the House would judge when they had the bill before them. As to the uses of such a body of evidence, applicable to clearing those questions in examining the titles to estates, which more or less occurred in every instance, when such titles came to be investigated by eminent conveyancers, they could not, he thought, be denied. At present such facts were to be collected either from oral evidence, or wills, or parish registers, dispersed through every part of the kingdom. This bill would combine them, with much additional matter, in one central spot, of easy access, with the utmost facility of reference, and at the expense of a trifling fee. The charge for the funeral certificate itself, sir E. proposed to limit to *3l. 6s. 8d.*

Leave was given to bring in the bill.

PETITION FROM BRISTOL RESPECTING PARLIAMENTARY REFORM.] Sir Francis Burdett presented a petition of several inhabitants of Bristol and its environs; setting forth,

"That the petitioners have a full and immoveable conviction, a conviction which they believe to be universal throughout the kingdom, that the House doth not, in any constitutional or rational sense, represent the nation; that when the people have ceased to be represented, the constitution is subverted; that taxation without representation is a state of slavery; that war as a cause of excessive taxes, being the harvest of those who live by corruption; the cause and character of the war which commenced in 1793, the petitioners now conceive to be, by the enlightened part of the community, well understood; that as the tremendous tempest of war is not to be stayed at the bidding of those in whose mad and wicked counsels it had its origin, so it is probable that the contrivers of the late war did not intend the magnitude and duration it attained, which magnitude and duration, by the portentous calamities now found in their train, are fast opening the eyes of a deluded nation to the evil deeds of its authors; and that now these wicked rulers themselves, if not infatuated, must know that either that usurpation which has divested the people of their representation must be for ever put down, or the liberty of England must perish, and the security of property be annihilated; that there is no property in that which any person or persons, any power or authority, can take from the people, without their consent, that the scourging of a taxation without representation is arrived at a severity too harassing and vexatious, too intolerable and degrading, to be longer endured without being unceasingly protested against, and as unceasingly resisted, by all possible means warranted by the constitution, until redress be obtained; that, in such a condition of their country, the petitioners are shocked to behold contending factions alike guilty of their country's wrongs, alike forgetful of her rights, mocking the public patience with repeated, protracted, and disgusting debates on questions of refinement in the complicated and abstruse science of taxation, as if in such refinements, and not in a reformed representation, as if in a consolidated corruption, and not in a renovated constitution, relief were to be found; that, in the discussions which they have witnessed, the petitioners see nought but what hath a direct tendency to place the English people in a situation in which the unrelenting lash of unconstitutional taxation may, in all time to come, be laid on to the utmost extent of human endurance; that, instead of such a course, the petitioners hold it to be self-evident that there are not any human means of redressing the people's wrongs, or composing their distracted minds, or of preventing the subversion of liberty and the establishment of despotism, unless by calling the collective wisdom and virtue of the community into council, by the election of a free parliament; wherefore, considering that through the usurpation of a borough faction, and other causes, the people have been put even out of a condition to consent to taxes, and considering also that, until their sacred rights of election shall be restored, no free parliament can have existence, the petitioners pray that the House will without delay pass a law for putting the aggrieved and much-wronged people, in possession of their undoubted rights to representation co-extensive at least with direct taxation, to an equal distribution throughout the community of such representation, and to parliaments of a continuance according to the constitution, namely, not exceeding one year."

Ordered to lie upon the table.

PROPERTY TAX.] Mr. *Brougham* rose to call the attention of the chancellor of the exchequer to a circumstance that had lately occurred, relative to the collection of the last assessment of the property tax. A noble friend of his in Bedfordshire, possessing property in four parishes, and whose rents then due amounted to 4,000*l*., but which he could not collect, was assessed to the property tax according to that sum. On learning the assessment he wrote to the commissioners, stating the impossibility of collecting his rents, and desiring to be relieved from this injurious assessment. He, however, received for answer, that if he would pay of the first issues a shilling in the pound, he would be indulged with a delay of twenty-eight days, which as his noble friend justly remarked, was paying 72 per cent. for the indulgence. He desired to know whether this payment would be taken in part of the tax?

The *Chancellor of the Exchequer* replied, that he was not prepared to return a direct answer at present, but that the question should be inquired into.

MEMORIAL OF MR. CAMPBELL.] Mr. Wynn moved, "That there be laid before this House, copies of the memorial of William Campbell, esq.; praying for remuneration and reimbursement for establishing a new system of collection of the legacy duties, and all minutes of treasury thereon."

The *Chancellor of the Exchequer* had no objection to the motion, and stated that Mr. Campbell had received 600*l*. a year for the collecting of one branch of the revenue.

Mr. *Tierney* was anxious to know whether there had been any breach of faith towards Mr. Campbell.

Mr. *Huskisson* assured the right hon. gentleman that there had not been any. Mr. Campbell had communicated with him on the subject of his plan, and proposed, if the plan were carried into effect, and proved successful, that he should receive a certain centage on the nett increase in the public revenue, that would result from it. The difficulty of ascertaining what that amount would be, had, however, prevented the admission of such a proposal; and it had been suggested to Mr. Campbell, to carry into effect his own plan, in collecting the legacy duties, in an office quite distinct from the former one—that by comparison the relative merits of the plan might be ascertained. For this he received 600*l.* a-year, and he was advised by him (Mr. Huskisson) to depend altogether on the generosity of government for his ultimate remuneration, to which he acceded. The plan afforded great satisfaction to the public, and produced a considerable increase in the revenue.

Mr. *Baring* thought that whatever remuneration Mr. Campbell was to receive, should be made by a vote of the House of Commons, and not privately by the lords of the treasury. Such an event might establish a precedent, productive of a system of favouritism.

The motion was agreed to.

Mr. Peltier.] Mr. *Wynn*, on looking over the returns of the civil list, had seen a subscription to Mr. Peltier, for the Ambigu newspaper, on which he desired some information. In 1804, the subscription was 254*l.*; in 1805, it was 277*l.*; and so it increased progressively, until in the last year it amounted to 787*l.* He wished to learn the reason of this increased reward for Mr. Peltier's services. His undertaking might have been considered an object of some importance during the war, when it might be advantageous to convey information to the continent, through the medium of the press of England, but it had now lost all its consequence in that point of view.

Lord *Castlereagh* said, that those grants were made for public, and not private services, and for conveying instruction to the continent, when no other mode could be found.

Mr. *Ponsonby* observed, that Mr. Peltier seemed to have undergone some vicissitudes in his relation with the British government. He was now paid, but he was formerly prosecuted, and for a libel upon Buonaparté. Perhaps the government felt that they had injured Mr. Peltier by that prosecution, and these after-payments were intended as a compensation. This, no doubt, was very comfortable for Mr. Peltier, but it was not very comfortable for the people of England to have their money thus needlessly squandered.

Mr. *Tierney* said, that Mr. Peltier had indeed undergone many vicissitudes, for he had not long since been ambassador from the emperor of Hayti.

Petition of the Rope Makers of Woolwich.] Mr. *Curwen* presented a petition from the rope-makers of Woolwich rope-yard, complaining of the inadequacy of their pay of superannuation, which amounted only to 15*l.* a-year, and was insufficient to keep them from ending their days in a work-house. He would suggest, that, if it could not be augmented at the public expense, there might be a stoppage of 6d. a week out of their emoluments when able to work, that might increase their superannuation pay.

Mr. *Brougham* begged to recommend this subject to the attention of government. He had made a calculation that the number of superannuations of this class of people from all the dock-yards would not exceed 80 or 90, and an additional allowance of 8*l.* or 10*l.* a-year would be a great matter to them, while it would not cost the country more than 800*l.* or 900*l.*

Sir *F. Burdett* observed, that the petitioners had strong claims to attention. The money which it appeared was given to Mr. Peltier would cover all the demands.

Waterloo Monument.] Mr. *Tierney*, having seen an advertisement in the newspapers, for models of plans for the proposed Waterloo column, wished to be informed whether it was intended to fix upon any particular model, before the sum actually to be voted by parliament was known?

Mr. *Long* said the advertisement alluded to by the right hon. gentleman was published in consequence of an application of the artists for further time to prepare their models. The time for sending in those models was now extended to the first of July.

Mr. *Tierney* said, all he wanted to know was, what sum government intended to propose to be expended in these designs, as at present no judgment could be formed upon the subject.

Sir *W. W. Wynn* said, the House was at present ignorant of the nature of the plan intended to be adopted for commemorating the glorious victory of Waterloo. Some were for columns, and others were for combining the useful with the ornamental, and building a church; for his own part, he thought no better course could be adopted than making additions to Chelsea and Greenwich hospitals, for the reception of those men who had been maimed or rendered incapable of service during the war.

The *Chancellor of the Exchequer* was not able to inform the House what was the precise amount of the sum intended to be expended on the monument alluded to. This must depend on the general opinion of those to whom the subject had been referred. From opinions he had heard delivered, however, he thought the sum to be thus applied, might amount to 3 or 400,000*l.* and possibly more, if a more extended plan than that at present in contemplation was determined upon.

Mr. *Tierney* thought, that in the present situation of the country, for the chancellor of the exchequer to speak of three or 400,000*l.* and even more, for a monument, was not pleasing, and rather alarming. He wished some proposition should be made to the House to fix a limited sum, within which the monument should be erected. He hoped the right hon. gentleman would come better prepared in a few days on the subject. If the building in question were not a work of public utility, but merely a couple of columns, one for Trafalgar, and the other for Waterloo, he should think 100,000*l.* quite enough.

Mr. *Hammersley* was stating that churches were wanted, and that a magnificent cathedral might be erected, when

Mr. *Huskisson* spoke to order, as there was no question before the House.

CHARGES AGAINST LORD ELLENBOROUGH.] Lord *Cochrane* rose. He said that, instructed by the proceedings on the journals in the case of sir Elijah Impey, as well as by the information he had obtained from the Speaker on a former evening, when he rose to name a day for the consideration of the Charges which he had felt it his duty to prefer against the lord chief justice Ellenborough, he should strictly follow the precedent, and, as he could not, as in other cases, individually appoint the time, he would conclude by moving a resolution, "That they be referred to a committee of the whole House, and that evidence in their support be heard at the bar." He wished to act towards the learned lord in a different manner from that in which he (lord Cochrane) had been treated by him, by affording a full and fair opportunity to repel the charges, if such was in the power of the learned lord; who, he trusted, had no enemy so great within the walls of the House of Commons, as to oppose that course of proceeding, which, if guiltless, alone could establish the rectitude of his conduct. He could not anticipate an objection on the part of any honourable member—sure he was of the support of his majesty's solicitor-general, who had actually named the 8th instant for a motion on the subject. He (lord Cochrane) hoped that the 2nd would suit the views of the hon. and learned gentleman better, considering his anxiety that "charges of so serious a nature" should not hang over the head of the lord chief justice. In refutation, however, of the imputation of delay thrown out by that hon. and learned gentleman, he put it to the candour of the House whether he (lord C.) could have brought forward the charges at an earlier period? Twelve months had elapsed in the confinement imposed by the sentence of that judge; and it was a notorious fact, that when he had eluded that unjust restraint, with a view to bring the matter before parliament, he had been dragged from the very table of that House; and a committee had reported, that they saw no reason for proceeding against the authors and abettors of that unprecedented act! He had been liberated from gaol only three days before the termination of the last session—it was obvious, that had he proceeded then to prefer his charges, reflexions of an opposite nature from those now thrown out by the hon. and learned gentleman would have been cast on his conduct. Was he to blame for the prorogation of parliament until so late a period? Was he responsible for the public distress which called forth long and important discussions? It was known that, as soon as the charges had been printed, and before the late recess, he had expressed his anxiety that the members should avail themselves of the leisure it afforded to prepare their minds for the discussion of so serious a subject. Nothing could be more important than the due administration of justice. It was the bounden duty of the House to probe complaint such as that which he (lord C.) had preferred to the bottom. He had brought forward the charges deliberately and advisedly. On the guilty let their vengeance fall. He had courted investigation, and in every shape it had been denied. Either the lord chief justice was unfit to sit on the bench, or he (lord Cochrane) ought again, but not again without investigation, to be expelled from that House. He should not at present enter into any detail—the charges explained themselves; and the evidence he proposed to adduce would leave no doubt of their truth on the mind. He should examine, in support of the first charge, all the counsel, one of whom now sat on the bench whence it had pleased the Almighty to remove two of those who had sanctioned his unjust sentence, to a tribunal, whence there was no appeal. They now knew whether he merited the treatment he had received. The jury and the short-hand writers he also proposed to examine, to prove the artificial reasons assigned by the lord chief justice for compelling his counsel to proceed to his defence after the hour of midnight, when in a state of incapacity, owing to the length of their attendance.—He trusted that the solicitor-general would publicly retract his insinuation, that the consideration of the charges he (lord C.) had preferred, had been delayed one day longer than unavoidable circumstances compelled. However that might be, the explanation he had given must prove satisfactory to the House. The hon. member for St. Michael's, the relation of the learned lord, he was convinced would second his motion for investigation, which would dispel falsehood and establish truth. Sure he was, that an opposite course could not with honour be pursued. The right hon. gentleman on the bench below (Mr. Ponsonby), on a former occasion had declared, that without inquiry he could not lay his head with comfort on his pillow. He trusted that such would be the feeling of the House on the present occasion—particularly of those connected by ties of consanguinity and otherwise with the learned judge.

The charges being read, *pro formâ*, his lordship concluded by moving, "That the thirteen first charges against the lord chief justice Ellenborough for partiality, misrepresentation, injustice, and oppression, be referred to the consideration of a committee of the whole House, on Wednesday the 8th of May."

Sir *F. Burdett* seconded the motion.

The *Speaker* observed, that this motion embraced two questions; first, as to the appointment of the committee; and next, as to the time for which that appointment should take place. The House would first dispose of the question as to whether they would go into the committee—the time might be arranged afterwards.

The question, as suggested by the Speaker, was then put.

Mr. *Law* said, he rose not to second the motion, though the noble lord had expressed an expectation that he should, but for a very different purpose; and he could assure the House, that whatever his personal feelings might be on the present occasion, they were merged and lost in a sense of the public importance of the question now before them—an importance not arising from the nature of the charges on the table, which were far too contemptible to require a laboured refutation, but arising from their tendency to vilify the administration of the justice of the country, and to destroy that confidence which it was of the last importance the people should have in the administration of the laws. He should indeed feel himself unworthy to sit in that House—that House in which the noble lord had already been declared unworthy to have a seat—if he, by his vote, added one to what he anticipated would be the extremely small list of those who would support the noble lord. He did not believe that the noble lord's object was to destroy the character of the lord chief justice; if such were his object, let him proceed to praise the lord chief justice: no, his object rather was, wickedly to vilify and degrade the public justice of the country.

Mr. *Horner* called the hon. gentleman to order. He submitted, that it was contrary to all order of the House, that an hon. member in his place, should charge another hon. member in his place, and doing what he conceived to be his duty, with a wish to vilify the administration of justice, or to impute to him any other improper motive [Hear, hear!].

Mr. *Law* proceeded. There was no gentleman to whose opinion he was more disposed to pay deference than to that of the hon. and learned member who had just sat down, and if that also was the opinion of the chair and of the House in general, he was ready to submit to it. He would not, however, degrade the understanding of the House by entering into a serious refutation of the charges. He would beg leave to observe generally, that the duties of a judge, in summing up the evidence, appeared to be to draw the different radii of evidence to one point, in such a way as to lead the jury to the investigation of truth, and the detection of guilt. It was not his duty to protect the criminal, and to say all that an advocate might be presumed to say in his defence. After the evidence on both sides had been gone through, and the speeches of counsel heard, it became the judge's duty, on the sudden, so to bring the points in evidence to bear upon the case, that the jury might be better enabled to form their opinion. The task was an arduous one, and if, in performing this extemporaneous duty, he should sometimes fall into error, it was not very surprising. But what astonished him was, that after two years' consideration, which the noble lord had, no doubt, devoted to a matter so interesting to himself, he should be unable to draw even one colourable charge from all that passed on the trial. Even if some error had been detected, it would not be the duty of the House, nor consistent with their prudence, to visit it with severity. He knew but of one perfect judge. It was for the noble lord, in his wild and extravagant philosophy, to demand from man the first and noblest attribute of divinity. Let the House consider the extraordinary faculties of mind that were required in judges—the important duties which they had to fulfil; and then let them reflect whether, in the performance of those duties, they should have constantly presented before their eyes the fear of a parliamentary inquiry. Should not the House be prepared to interpret their acts with the same favour and liberality which they were always ready to show to those who had arduous duties to fulfil? But on the present occasion all he asked was justice, strict justice, and no more. He had always considered that the equal administration of justice to high and low, rich and poor, was one of its noblest attributes—that which had distinguished this country above all others, and so peculiarly contributed to its happiness and its glory. The noble lord had called upon the House to destroy this proud distinction of the country—that there should be a different law to the private individual, and to the member of parliament. And in what case was it proposed to subvert the equal administration of the laws? It was not in the case of charges brought by a third party, but by a convict against the judge who tried him. It was impossible not to feel convinced that the House would reject them with indignation. He wished the noble lord had heard the just appeal which was made on a former night to the House, by staying out the debate, and hearing the speech of an hon. and learned gentleman (Mr. Plunkett), in which he described the confidence with which every individual in the kingdom looked up to the pure administration of justice. He would then perhaps have hesitated before he brought forward a motion which aimed at throwing suspicion on the conduct of a judge; and which was an attempt to demolish that fabric on which all our liberties reposed. If the House were disposed to drag the judge from the tribunal of justice, and place him on a level with the criminal convicted at his bar, then they would entertain the present charges: but if they were determined to maintain pure and inviolate the confidence of the country in its courts of justice, then their conduct would be very different. The noble lord had called upon the House to entertain the charges on his own responsibility forsooth; but was it necessary to state, that if the verdict of the jury which found him guilty was to be depended upon, he was in fact a perjured man? Was it necessary to call to the recollection of the House that the jury, in finding him guilty, disbelieved him even on oath; and that he was consequently an incompetent witness in any court of justice? Upon the whole, he left the case entirely in the hands of the House, with a perfect conviction that they would place against the motion of the noble lord their negative of indignation and contempt.

Mr. *Ponsonby* said, that as the noble lord had adverted to what had fallen from him at the time when the question of the noble lord's expulsion was before the House, he should take that opportunity of explaining what he then said. His reason for opposing the motion of expulsion was, that he did not think sufficient ground had been laid to warrant it, and in this opinion he was supported by the votes of seventy-four members, but that opinion had no connexion whatever with the motion now before the House. It was, in fact, a motion of impeachment, attaching high misconduct to the judge in the trial of the noble lord. No man in the country would be more ready than himself to make or to second such a motion, if he thought it necessary for the ends of justice. Indeed, it had once happened to him, in the performance of his parliamentary duty, to have made such a motion against a chief justice who was guilty of gross misconduct; but nothing could be more unjustiable than to take such a step against any judge, unless with a perfect conviction of its relevancy. The House could take no notice of the noble lord's responsibility. The charges had been made, and the House must proceed either to reject or entertain them, on their own responsibility, and in the eyes of the country. It was no light matter to arraign a man placed at the head of the justice of the country. One of the charges was for a denial of justice. Mr. Ponsonby acknowledged that he was unable to see the propriety of that rule of court which refused a new trial, unless all the defendants were present: but this was the rule acted upon by the whole court; the blame, if blame there was, could not attach to one; and the proper way of remedying the grievance was, to alter the law on the subject: nothing could be more unfounded than to make it ground of charge. But the proper question before the House was, Do the articles on the face of them contain matter of criminal charge that would justify the House in entertaining them? Now, the substance of the first charge was, that the chief judge adjourned the court at three o'clock in the morning, having previously compelled the defendants' counsel to open their case to the jury, without hearing, at the same time, the evidence by which it was to be supported. Now it was, and always must be, left to the discretion of the judge how the course of justice was to be regulated, otherwise the public justice of the country could never be got through. The judge was to consider how the whole of the duty he owed to the public at large would be best discharged, not how Mr. A. or Mr. B. individual defendants, might be best accommodated. He conceived, therefore, that the chief justice, in compelling the counsel to proceed, and thus getting through as much of the trial as possible, did nothing but what was perfectly lawful, even on the statement of the defendant. Nothing, to his mind, arose from the circumstance, at all indicating partiality or injustice. He confessed it was always to be regretted when any adjournment of a trial took place, though in some cases the length of the proceedings might render it unavoidable. But what disadvantage arose to the noble lord from the precise period of the trial at which the proceedings were adjourned? He confessed he could see none. Nay, the very circumstance of the statement of his case being the last thing left on the recollection of the jury, appeared rather advantageous to the noble lord. He had the benefit of the impression, which his counsel endeavoured to raise, being left as the last thing on the minds of the jury; and next day the evidence in his favour was most likely to operate an additional prepossession in his favour, if it availed any thing at all in the estimation of the jury. He protested, he could see no improper purpose, no undue object, in the mind of the judge; and if there were none, to what purpose should the House go into a committee? He had examined all the charges, and he declared he could see no ground for impeachment of the chief-justice, or for taking any step which might imply the slightest doubt of the rectitude of his conduct. If he had thought the chief-justice had been guilty of any malversation, the noble lord himself could not be more ready than he should be to institute proceedings against him; but, thinking as he did, that we owed the purity of the administration of justice, not so much to the character of the judges themselves as to the constant jealousy and supervision of parliament—to the conviction that existed in the breast of the judges that they must not be swayed by partiality, lest they should be visited by the inquiries of parliament: thinking all this, he felt it due to the character of the judges to afford them support wherever they maintained the course of uprightness; and nothing could be more cruel than to bring forward unfounded statements. It was not enough to prove a mistake in point of fact, but some gross error, which could only be attributed to improper motives, and which gave reason to suppose that the badness of the heart had contributed to the perversion of the judgment. As he had voted against the expulsion of the noble lord, because there was not then ground on which the House could found that motion, so he should vote against the motion now proposed by him.

The *Solicitor General*, after what had been said by the right hon. gentleman, would hardly have thought it necessary to trouble the House with any observations; but the right hon. gentleman had confined his remarks chiefly to the first charge; and the question before the House was, whether the articles should be referred to a committee or not? As the articles had been suffered to lie so long on the table, it struck him, that as soon as there had been an opportunity of reading and considering them, so soon should the subject be brought before the House: and that, for the reasons so eloquently given by the right hon. gentleman on the opposite side. He agreed with that right hon. gentleman, that as the House on the one hand should watch with jealousy over the conduct of the judges, so on the other it should protect them while deserving of protection, not only as a debt of justice due to the judges, but as a debt due to justice herself, in order that the public confidence in the purity of the administration of our laws might not be disappointed, and that the course of that administration might continue the admiration of the world; for, unless the judges were protected in the exercise of their functions, the public opinion of the excellence of our laws would inevitably be weakened; and to weaken public opinion, was to weaken justice herself. He agreed also with the right hon. gentleman, that, in order to bring the subject before a committee, the chief-justice must be charged with some matter of fact; for, if forced inferences were to form the whole of the charges, there was no act of a man's life that might not, by tortured constructions, be turned to his disadvantage. He trusted, therefore, the House would not suffer the subject to pass into a committee; for if they permitted a committee to sit, they, in some measure, sanctioned the charge.—He should now make one or two observations on the first charge. The right hon. gentleman who spoke last, had most truly said, that what the noble judge had done, so far from operating against the prisoner, had turned materially to his advantage; namely, the giving time for the impression that had been made on the mind of the jury to take its due course. With respect to the counsel, he would venture to say, that in a trial of this sort, which depended not on any investigation of nice legal arguments,—not on points of abstruse or difficult learning, but on a plain statement of facts, he should say, as a counsel himself, when the whole evidence was warm from the hearing, "Let me now state what I have to offer, and don't let me be called on tomorrow morning, when the impression now so warmly felt shall have become cold and weakened." He should have preferred this as a counsel himself, at whatever expense of bodily or mental fatigue. But he had another important observation to make on the subject of time, for to that the noble lord's charge was principally addressed; he should say, that it was for the advantage of justice, of truth (which must be the object of every honest judge), in a case where the defendant comes prepared, to hear his statement before any division of the business: the end of the prosecution was not the proper time to divide a cause: he should say to a defendant, "Let me hear your opening; I shall then know the outline of your defence, and fix you to your first statement."—The noble lord had stated another circumstance as having operated to his disadvantage, from a most unaccountable misunderstanding of our legal forms of proceeding. A number of defendants in the same cause were assisted by as many as eight counsel, retained by some or other of them; and the noble lord brought as a cause of complaint, that all the eight were not permitted to address the jury. Did not the noble lord know, that although each defendant might, if he pleased, address the jury, yet no more than the leading counsel were ever permitted to do so?—As to the other charges, they filled a great quantity of paper; some of them he should not go through, because hon. gentlemen had had sufficient opportunity to weigh their merits; but all of them imputed misconduct at the trial; and, in order to prove this, facts which took place subsequently to the trial, which were never brought before the jury, supported by mere voluntary affidavits, were stated to have produced partiality and corruption in the judge at the trial. Though he had no right to impute improper motives to the noble lord in bringing forward these charges, he had a right at least to desire that the noble lord would exercise some caution before he so readily attributed improper motives to another; but it was clear from the whole tone of the articles, that they did not come from any conviction of mind on the part of the framer of them, but from a cautious research for points of captious objection. Where was the noble judge alleged to have mistated the law? Where was he alleged to have mistated fact? Nowhere! save as to one Alexander Murray, which now proved to be without foundation. But the noble judge made use of erroneous reasoning, and did not give the proper inferences to the jury! This was the whole amount of the charge. And who was the fairest judge of the construction to be put on facts, a person who was not implicated, whose mind came to the examination unbiassed, whose fame and character were at stake on the construction he should form—or the accused himself? The solicitor-general said, he agreed with the right hon. gentleman who spoke last, that the House must see a corrupt mind, before they went into a committee; so far from this, what was the situation of the learned judge before this trial? This was no matter done in a corner; the trial took place before a crowded court, before persons of the highest rank and eminence, whom curiosity had attracted; and the noble, and, he would say, the upright judge who presided, was supposed to have violated his duties—to have sacrificed a character earned by a long and laborious course at the bench and at the bar—to have subjected himself to the disgrace of an impeachment in that House—and for what? What was it to him beyond the event of the trial, what became of De Berenger, of Butt, of Cochrane Johnstone?—what, even, of the noble lord himself? He would call the attention of the House to the character of the noble judge. Never was there an individual at the bar, or on the bench less liable to the imputation of corrupt motives. Never was there one more remarkable for independence,—he would say sturdy independence—of character, than the noble and learned lord. For twelve years he had presided on the bench, with unsullied honour—displaying a perfect knowledge of the law—evincing as much legal learning as was ever amassed by any individual. And now, in the latter part of his life, when he had arrived at the highest dignity to which a man could arrive, by a promotion, well-earned at the bar, and doubly well-earned on the bench, they were told, that, in the face of the public, when all around him had an opportunity of detecting him, he had sacrificed all his honours, by acting from corrupt motives, for which no reason whatever was assigned. If the noble lord had made specific charges against the learned judge—if his articles stated that he had been seduced by corruption—that he had taken a bribe—that he had consulted with this man or that man on the subject—then the noble lord might say to the House, "Give me a committee, that I may prove these specific facts." But where were the facts to be found? The noble lord referred in all his argumentative articles (for so they were, not one specific charge being made) to the printed report of the trial—which, he doubted not, was accurate, because it was given by a most accurate man. Let the House read the trial—let them look at the evidence—let them consider the summing up, and the comments of the learned judge—and they would assuredly come to this conclusion, that, instead of having pressed the case too hardly, he had omitted much that might have been urged against the noble lord. There never was a fairer nor a more impartial charge than that delivered by the learned judge, in summing up the case. The noble lord had drawn into consideration some other matters—that one point had not been proved, and another point had not been proved, which were material to him. This might be so. But was it the fault of the learned judge? Was he to suppose that those gentlemen to whom the case of the noble lord was intrusted, were deficient in their duty? No such thing. It was never suggested to him. And, even if it were, he could not command a different course to be taken. He had a right to suppose that the gentlemen employed had proved every thing that could be proved for their clients—and, conceiving the evidence to be fully given, he left the case fairly to the jury, who came to the decision of which the noble lord complained. He would only call the attention of the House to one point contained in the articles. It was alleged that the noble and learned lord, though he appeared anxious to know what passed at the time the servant brought De Berenger's letter to lord Cochrane, yet did not examine him as to all the facts connected with that transaction. Now, how did this stand? After having been examined by the counsel for the prosecution and for the defence, the learned judge asked the witness, "What did lord Cochrane say when you delivered him the note?" If that were not proof of a disposition to learn every thing that occurred, he knew not what was. The answer was—"Very well, Thomas, then I must return." This was all lord Cochrane said, according to the deposition of the witness—and yet the charge was, that the learned judge did not ask every thing about this meeting—and that, therefore, he was guilty of partiality and corruption. Without going through the articles, one by one, he could safely state, that they contained mere charges of inference. The learned judge was accused of partiality, injustice, and misrepresentation, because he did not reason in the same way in which the noble lord would have done. He had drawn, it was said, wrong inferences from much of the evidence—and, *ergo* he was guilty of partiality and injustice. In his opinion, it would be acting with gross injustice towards the noble and learned lord, if the House did not immediately, after the present discussion was ended, come to a determination, that those articles ought not to be referred to a committee. He did not advise this for the purpose of stopping inquiry, but to show that the judgment of the House was, that there was no criminal matter to consider. He thought the articles ought not to go to a committee, because there was nothing for inquiry that could, by possibility, throw the slightest imputation upon the character of the noble and learned judge. He was glad the time was at length come, when the House were called on to state their feeling on this subject. If he had conceived, that so long a time would have been suffered to elapse, before the question was brought forward, he certainly should have opposed the vote for printing the articles—not to prevent their being read—but to take the sense of the House on this important point, namely, whether they contained any impeachable matter or not. He did not pursue this course at the time, because he would not have it said, that he took undue means to prevent the publicity of the charges. Every person, however, having had an opportunity of considering them, he confessed, he then felt very anxious that a decision should be come to immediately, and, therefore, he gave notice of a motion on the subject, after the recess. The day and hour had now come, when a judgment was to be formed on this case; and he sat down, perfectly convinced that the House would agree with him in thinking, that these charges should not be referred to a committee, because, on the face of them, there was no criminal matter for inquiry.

Sir *Francis Burdett* expressed his disposition to deal out equal justice to all parties, and to consider this case with the utmost temperance. In the presence of the noble lord, who had brought forward these charges, he was indisposed, from motives of delicacy, to state his firm impression of the innocence of that noble lord, and of the severity and injustice of his sufferings. He would treat the question with that coolness and impartiality which became his duty, and to which he wished the learned judge, to whom the accusations referred, had paid more attention, upon the trial under consideration. He could also wish that the hon. and learned gentleman who had just sat down, had evinced somewhat more of his characteristic candour upon this occasion. But with respect to the hon. gentleman (Mr. Law) who deprecated so much the entertainment of any charges of this nature, because, truly, such charges were calculated to interfere with the character of the administration of justice, it must be obvious that such language (excusable, perhaps, from that hon. gentleman) would operate against the investigation of any charges whatever against any judge—would, indeed, form a bar against the exercise of the best privilege of that House—the privilege of inquiring into the conduct of courts of justice. He could not, however, suppose that the House would be influenced in any degree by the common-place *tirade* of the hon. gentleman, for his observations would serve equally to defend all judges—to shelter even those judges who had been dragged from the bench for their misconduct—to protect, for instance, from trial or condemnation the judges who had acted so iniquitously towards Russel and Sydney. But the observations of the hon. gentleman could, in fact, have no weight with thinking men, and perhaps it would have been as well if the hon. gentleman had spared them: at all events, it would have been as well if the hon. gentleman had abstained from acrimony on the present occasion. It would be indeed becoming the nature of the case to avoid acrimony on both sides. He approved of the conduct of the noble lord near him, in wholly abstaining from acrimonious observations—in confining himself to the merits of the motion.

With respect to that motion, he could not concur with the opinion of the right hon. gentleman below him (Mr. Ponsonby), that it referred only to the first charge; that that indeed formed the *gravamen* of the charges. This, however, appeared to him a very erroneous opinion; for in looking to that part of the case which referred to the postponement of the trial, and the separation of the jury, which, by the way, was a practice of late years, it formed a very serious charge against the learned judge. The right hon. gentleman below him, as well as the hon. and learned gentleman who spoke last, had, no doubt, maintained that it was of the greatest advantage to an advocate to reply while the evidence upon which he was to comment was fresh in the mind of the jury. To this proposition, however, he (sir Francis) could not subscribe; for he must ever think it advantageous to any man to have some time to deliberate upon the facts and arguments which he was called upon to answer. But without the merits of any general proposition, it was sufficient to state, that on this particular occasion the counsel distinctly declared to the judge their inability, from fatigue, to enter into the defence at that late hour of the night. Therefore the *tirade* of the learned gentleman who spoke last, as to his general proposition, was quite beside the question. The counsel applied for a postponement of the trial until the next day, in consequence of their excessive fatigue after a trial of fourteen hours duration. But the application was resisted on this ground, as alleged by the judge, that several public officers were in attendance to be examined as witnesses, and that their attendance a second day would be inconvenient to the public business of the country. Yet the trial was afterwards postponed, without examining those witnesses. Therefore he felt himself entitled to say, that the judge assigned a false reason for rejecting the application of the defendant's counsel, and compelling them to enter into the defence when they were avowedly unable so to do—when, indeed, the jury as well as the counsel, must have been exhausted; such conduct, then, he conceived to involve a direct charge of bias and partiality, worthy of inquiry.

Then, as to the 13th charge, that obviously contained a very serious accusation against the learned judge. It set forth, "that the chief justice had unwarrantably enforced an opinion, that De Berenger appeared before lord Cochrane in a red coat, of which there was no evidence. This charge militated against the statement of the hon. and learned gentleman who spoke last, and it might be inferred, from his not having noticed it, that he had not perused the articles. This accusation was not of the nature he had described—it had nothing to do with erroneous reasoning—it was a specific charge of 'misdirecting the jury—of supplying evidence to them, which the witnesses had not given.' There was not a tittle of evidence to support the observations made by the learned judge on this part of the case—and it ought not to pass unnoticed, that those observations were couched almost in the very words that had been made use of by the counsel for the prosecution, in his opening speech. If what the learned lord here stated had been proved in evidence (but he denied that it was), and had he (sir Francis) been on the jury, he should have been compelled to return that verdict which the jury had given. What were the words of the learned judge? "Having," said he, "hunted down the game, they showed what became of his skin. De Berenger, it seems, pulled his scarlet uniform off, and appeared in green. But if that colour did not excite lord Cochrane's suspicion, what became of De Berenger's star and medal? When he saw those, it became him, as an officer and a gentleman, to ask him where he had been in that masquerade dress? It was, therefore, for the jury to consider, whether the defendant did not know very well where De Berenger had been?" The learned lord also observed, "That De Berenger came before lord Cochrane in the costume of his crime." Now there was not an iota of evidence to prove that De Berenger ever appeared before lord Cochrane in what the learned judge had termed his "masquerade dress." If such evidence were given, his case would have been utterly defenceless. A hackney coachman was the only person who deposed that De Berenger went to lord Cochrane's house in a red uniform. That hackney coachman, he believed, received a sum of money for his evidence [Hear, hear!]. He had heard so. The Stock Exchange committee offered money for evidence: he did not mean to say for false evidence.

The *Attorney General* spoke to order. The question was, whether those charges should go before a committee; and in supporting the affirmative of that question, the honourable baronet had unwarrantably stated what he had heard elsewhere, that Crane the coachman had received a bribe, as the purchase of false testimony [Cries of No, no, no].

The *Speaker* decided that the attorney-general was certainly out of order in calling the hon. baronet to order.

Sir *Francis Burdett* resumed. He said he was always happy to hear what learned gentlemen on these occasions wished to say, because, if their feelings could not be suppressed, the House generally got more from them than when they were on their guard [A laugh]. It was a great misrepresentation to say, that he had accused the coachman of receiving a bribe for false evidence. He had merely observed, that the Stock Exchange had offered money for evidence; and, therefore, the evidence of those who were thus rewarded ought to be received with great caution. The case of lord Cochrane depended on the evidence of Crane, the coachman—and his testimony, he thought, might be reconciled with the statement of the noble lord. De Berenger, when he got out of the coach, had a great coat on, and it was said under that he wore a red uniform. It was important to know whether he wore such an uniform or not; for, if he did not, there was an end to the main cause of suspicion. Lord Yarmouth stated, in his evidence, that the uniform of De Berenger, as adjutant of the rifle corps which his lordship commanded, was green, with red facings. Now the coachman might have seen the red collar, and De Berenger's great coat being buttoned, the principal colour might have escaped his observation. It was impossible, he conceived, to get rid of this charge, which imputed to the judge a serious misdirection, on a point of very great importance. The question for the House to consider was, "Did these charges, if admitted, contain criminal matter for the consideration of the House?" He conceived they did—and the one he had just referred to appeared to him of very great weight indeed. As to seeking for motives for improper conduct, it was not their duty. No doubt, the judges who condemned Russell and Sidney, were, at the time, spoken of as men of high character, who could not be supposed to suffer any base motives to influence their conduct. Such arguments as these ought to be banished from that House. It was their duty to look, with constitutional suspicion and jealousy, on the proceedings of the judges; and, when a grave charge was solemnly brought forward, justice to the country, as well as to the judge, demanded an inquiry into it;—much stress had been laid on the circumstance of these charges having been presented by the noble lord, who was a member of that House. Now, members of parliament possessed certain privileges; and one of them was, the right of laying an article of charge upon the table of that House. But a member had not, in fact, any material advantage in this respect, for any other member of the community might also prefer a charge in the shape of a petition, which he (sir Francis) should not hesitate to present; nor could he suppose that any member of that House, aware of his duty, would refuse to present such a petition. Therefore, there was no mighty difference in such cases between members of that House and other individuals. But as the charge under consideration was presented by a member of that House, it was surely not the less entitled to attention.

The sentence which had been passed on the noble lord was considered by every person, except the noble lord himself, as immoderately severe. The noble lord had scorned to apply for a remission of any part of that sentence. Conscious of his innocence, he had said, "If I committed this offence—if the accusation be true, then I deserve not merely this sentence, but one ten thousand times more severe." But he utterly disclaimed any participation in the transaction. Here the hon. baronet detailed the proceedings of the noble lord to obtain a new trial in order to prove his innocence, by adducing further evidence, and strongly animadverted upon the conduct of the court of King's-bench in rejecting the noble lord's application upon the subject, because, truly, others involved in the same indictment, and who had fled the country, did not join in the application. When the noble lord stated, that he could bring forward evidence to rebut those facts which weighed most against him, and which were sufficient to induce a court of justice to revise their sentence, he was met by a rule of the court, which, in his opinion, so far from providing for the administration of substantial justice, impeded and opposed it. He knew of no right a court had to make rules of such a description. The Great Charter said—"Nulli vendemus, nulli negabimus aut deferemus, justitiam vel rectum." But here there was a negatur; and, he might add, looking to the expense, if a new trial were granted, a vendetur also. This was extremely hard on the noble lord; and, situated as he was, it was no wonder that he made every effort in his power to do away the accusation of having been concerned in a transaction of which he knew nothing. But he was not permitted to bring forward his case again; he was told that, as all the parties were not in court, he could not have a new trial. They had heard of a very severe court, mentioned in an ancient author—

> "—ubi Rhadamanthus habet durissima regna,
> Castigatque, auditque dolos."

But, in this case, the court was more obdurate—they would punish, but they refused to hear. The hon. and learned gentleman, who had argued that the charges ought not to be entertained, had selected the weakest of them for animadversion, and given them as a sample of the whole. This was not acting fairly. If he had picked out the strongest charge—combated with it, and showed its fallacy—that would have been treating the subject properly, and in the manner which its importance deserved. Nothing, however, could be more unlike the thing than the sample which the hon. and learned gentleman had produced. It was not a fair way of proceeding to pick out what might be considered as surplusage on the subject. The refusal of a new trial was not a light charge, and ought not to be lightly treated. He should hope, therefore, that the House would not be of opinion with the hon. and learned gentleman, that there was nothing in the charges of sufficient weight to make them a fit subject of consideration. The hon. baronet again contended, that the learned judge had been guilty of gross misrepresentation, in the course of his charge, and concluded by calling on the House to accede to the motion, unless they were of opinion, that a mistatement made by a judge to a jury—a mistatement evidently not arising from an error in judgment—was unworthy of their serious attention. It must, he said, be clear to any man who impartially read the charges throughout, that they contained a great deal of impeachable matter, which called for the inquisition of that House.

The *Attorney General* said, he knew that many persons were of opinion the House had paused too long before they arrived at the question before them. It was due to the noble and learned judge and to the character of the administration of justice not to pause too long. He, however, was not of opinion that there had been too much delay; for if the subject had been taken out of the hands of the noble lord, it might have given rise to the suspicion that there was something in the charges which was meant to be crushed. If, however, the noble and learned judge were not either more or less than man, he would consider this to be a proud day to him when he should hear the result of the discussion. It was a great consolation to the noble and learned judge to know, that after the lapse of two long years, there could not be found in this nation, in its present enlightened state, any man to present these charges to the House, but the unfortunate culprit who had been found guilty by a jury of his country. Nobody appeared with him on this occasion but the hon. baronet, so long and so honourably associated with him in the affections of the electors of that city in which they were then sitting. Passing over many of the hardships which it had been said the noble lord had been compelled to submit to, he came to the observations which the hon. baronet had made on the trial. In this it had been imputed to the learned judge who presided on that occasion, that he had dealt unjustly by the accused; that he, for some motive not to be conceived, had done that which, if really done, would have been one of the basest acts of injustice that had ever disgraced any judgment seat,—ordered the counsel of the defendant to proceed with a defence at a time when they were so much exhausted as to be unequal to the task, in order to get the noble lord into the trammels of conviction. The learned judge to whom this conduct had been imputed, had been so well vindicated with respect to his conduct in this instance by the right hon. gentleman opposite (Mr. Ponsonby), that little or nothing was left for him on the subject. If he thought it necessary to say any thing on this point, he should feel he could not do better than to repeat the luminous speech of the right hon. gentleman. At present he should only remark, that somebody must regulate the sittings of the court, and determine when its adjournment should take place, or no business could be got through with, and this duty of course rested with the noble and learned judge. But it was said, " How cruel it was in the learned lord to call on the defendant's counsel to proceed, when they were so much exhausted, and at so late an hour." Those who spoke thus, knew little of the hardships to which the profession were subjected, if they thought this would be considered to press very hardly on those whose situation was thus made the subject of commiseration. He himself had been engaged in his professional labours from nine o'clock that morning, without having taken the slightest rest or refection, and he should be extremely ashamed if he could not continue his exertions till a later hour of the night than that at which they had yet arrived. In a case like that of the noble lord, the counsel, from finding it hopeless, might be content to adjourn on the plea of their being fatigued, but the result on this occasion had proved they were not disqualified from the due performance of their duties, for, on looking at the defence, it must be admitted that mortal man could not have made more of such materials than had been made of them by the counsel of the noble lord. Every man who had ever been placed in such a situation must know, that it was an advantage to proceed with the case, while the subject was growing upon them; while they had distinctly in their recollection the form and manner of the witnesses. This had ever been his feeling. That which was offered, with the benefit of all these circumstances of the moment, would be likely to be forcible and convincing; but, reserved to the following day, it would become vapid and of no effect. Much had been said of the misfortunes of the noble lord by the hon. baronet. He thought it was not the least of them that the noble lord had happened to have the hon. baronet for his advocate in that House [Hear, hear]! He meant to say he was unfortunate in this instance, as the hon. baronet had thought proper to enlarge on a part of the case on which he could be followed, with almost the certainty of bringing conviction home to every man, that that view ought to be taken of the question which was in direct opposition to the wishes of the noble lord. The hon. baronet had thought it was a serious charge against lord Ellenborough, that he had said—" Not only had the game been hunted down, but it had been shown what was become of the skin." By "the game," the person of De Berenger was evidently meant; by the skin, the red coat, with the orders, and all the trumpery which decorated it, which had been worn for the purpose of carrying on the fraud. The hon. baronet had said, if it had been proved that De Berenger had gone to lord Cochrane in that dress, this would have satisfied him of the noble lord's guilt. After what had passed in this debate, it became his painful duty to prove that De Berenger had done this. The attorney-general then went over the evidence, and attempted to show that De Berenger had gone to lord Cochrane's house in the costume of his crime. It was, he said, proved that he had worn it at Dover, where, at one or two o'clock in the morning he knocked up the people of one of the inns, he went, he believed, to the Ship-inn, where he pretended to be the bearer of great news, and wrote his dispatch to admiral Hallowell in the Downs, that the telegraph might be set to work as soon as it was day-light, and thus enable the conspirators, at this end of the chain, to pocket the produce of their fraud, even before their messenger could get to town. It was proved that De Berenger had worn this dress on the road, till he got into Crane's coach at Lambeth Marsh, and proceeded to lord Cochrane's house. It was proved that there he changed his coat, and put on a black one, which was furnished by his lordship; and stronger circumstantial evidence than that which had been obtained to establish these facts, had not been given in many cases, where the parties accused had expiated their crimes with their lives. But it was wished to get rid of Crane's evidence. The hon. baronet had not been very nice in speaking of this man's character, however tender he might be of character in other instances. It had been said that Crane received a large sum of money for the evidence he had given on this occasion. He (the attorney-general) had understood by this that it was meant he had received a bribe. He was not sorry that he had called the hon. baronet to order when speaking on this subject, as he had given him an opportunity of saying that he only meant that he had received the reward which he had been offered by the Stock Exchange, and that there was no harm in this. If there was no harm in his receiving this money from the Stock Exchange, he could not understand what sense or what importance there was in the observation which the hon. baronet had made. If he came forward but as the witness of truth, and received the reward which the Stock Exchange had offered to those who should come forward, what could this circumstance detract from the importance of his evidence? This man might be said to have gone through a fiery ordeal. If what he had said was untrue, the noble lord might have found means of proving it to be false; but two years had passed away, and who had dared to indict him for what he had sworn on the trial? If De Berenger did not go to the house of lord Cochrane in the red coat, where were his lordship's servants, and why were they not called to prove this? It might be said, that this was the fault of the counsel; but in a case like this, such a point would have been insisted upon; and he was sure the noble lord's counsel could not but see the importance of putting a negative on the red coat. But one of lord Cochrane's servants had been called—Denman, the servant, who had seen De Berenger when he arrived, and while he was writing the note which was carried to his lordship at the tinman's, yet none of the noble lord's counsel had ventured to ask him a question respecting the coat which De Berenger had worn. Every tittle of the evidence proved that De Berenger had worn the red coat from Dover to the house of lord Cochrane. It followed that he must have been seen in it by the noble lord; and it became the duty of the noble and learned judge to offer those comments which he had submitted to the jury. He would have been guilty of a dereliction of his duty had he not asked why lord Cochrane, seeing De Berenger in this mountebank or masquerade dress, which he must have known could have been worn for no honest purpose—why he appeared before him in it—knowing De Berenger to be then a prisoner in the rules of the King's-bench, and knowing him to be a candidate for a situation on board his majesty's ship the Tonnant, then going out to America. The noble and learned judge, he repeated it, had a right to assume that from its not appearing that this dress had been challenged by lord Cochrane, that he was a party to the imposition, to further which it was proved to have been used. If the hon. baronet was really disposed to draw the conclusion of guilt from the establishment of this fact, his heart, he was afraid, must be wrung with pity for the noble accuser, as there could be no doubt that the point on which he rested his defence was proved against him. The attorney-general next adverted to the charge that was grounded on the refusal of a new trial. The hon. baronet allowed that an obstacle in point of law stood in the way of granting a rule for a new trial, and that the noble and learned judge might plead precedent, and the practice of the courts for his conduct. The noble accuser, however, could derive no presumption in favour of his innocence from such a refusal, as his defence had really been brought forward in the pleadings on the motion for a new trial, and his additional affidavits received. He had at first been found guilty by a grand jury of his countrymen, and their decision was confirmed by the verdict of a petty jury. He then moved for a new trial; but as in cases of conspiracy, such a motion could not be complied with, unless all those who were convicted joined in it, it was refused. Did the noble lord suffer by such a refusal? No. His case was heard over again by the judges—the notes of the lord chief justice who presided at his trial were read—an opportunity was allowed of comparing them with the short-hand notes taken by others; and, after the most mature deliberation, after re-hearing all the depositions of the witnesses, and any new affidavits that could be brought forward, a full court of judges confirmed the verdict of the jury, and decided that there was no ground for a new trial. Here the hon. and learned gentleman paid a high tribute of respect to the learned judges who occupied the bench on that occasion, and particularly to two of them now no more, than whom, more upright, more learned, or more humane judges never adorned a court of justice. They all supported the direction of the lord chief justice, and the finding of the jury.—It had been said, that on this occasion the character of the justice of the country had been artfully mixed up with that of the judge. He denied that this was the case. He, acting under the noble and learned judge, as he had done for some years, in the case of the meanest individual, should not fear to point out to his lordship any instance in which he conceived him to have travelled out of the law. He would act thus, as he thought it was his duty to do, treating the noble and learned judge with all the respect due to his high character and situation, without fear of his displeasure, or without thinking of courting his approbation by a different line of conduct. If he had seen what he thought an error in his conduct on the trial established by any thing that had been said this night, he would not have failed to have pointed it out to the noble and learned lord. Nothing of the kind appeared, and he thought, on giving his best attention to the whole of the circumstances, that the House would be guilty of an act of injustice if they did not reject the whole of these charges from beginning to end, as containing no matter of crimination against lord Ellenborough, whose conduct on the occasion of the trial referred to, called for approbation, not censure.

Sir *Francis Burdett*, in explanation, repeated the assertion, that a link of evidence was wanting to prove that De Berenger had appeared before lord Cochrane in his masquerade dress. He denied having attempted to take away the character of Crane. He had only said that that evidence which was procured by the offer of a reward, ought to be received with great caution.

Mr. *Barham* was of opinion that the charges could not be entertained by the House; but he said, he retained the opinion he had formed, on reading the evidence given on the trial, namely, that lord Cochrane was entirely innocent of the crime of which he had been convicted.

Lord *Cochrane*, in reply, assured the hon. member (Mr. Law) that he forgave those personal invectives he had thought fit to utter, in consideration of the near connexion between the hon. member and the learned lord whose conduct was the subject of discussion. The outline which the hon. member had traced of the conduct of a just judge he perfectly concurred in, but the reverse had been the course pursued. His complaint was, that the lord chief justice had not acted on the principles the hon. member had laid down—he had not fairly represented the evidence, and brought truth before the jury in a clear point of view, to lead their minds to a just decision; but, on the contrary, had distorted and misrepresented facts, and had withheld circumstances from the jury which were in evidence, and were essential to their pronouncing a just verdict. How could the hon. member assert, that all he desired was, that the House would do justice?—All that he (lord C.) required was, that justice should be done—but inquiry must precede decision. The hon. member's chief argument, that the purity of a judge ought not to be suspected in the administration of justice, must equally apply to screen the most flagitious acts. He (lord C.) could not subscribe to that doctrine. He thought the hon. member had stepped in rather injudiciously between his noble relative and the proposed inquiry, if he felt that the lord chief justice had acted as he had described.

As to the gross and offensive expressions of the attorney-general, they could not admit of the same excuse, but he assured the learned gentleman, that a knowledge of the official duty he had to perform prevented their exciting any other feeling than that which every hon. member must have experienced. His empty declamation demanded no reply. He had made a bad speech in a bad cause. Although the learned gentleman had exemplified the freshness of his (lord C's) counsel, by his own state after a whole day's attendance in court, he had not succeeded. "There is no act of a man's life," says his learned colleague, the solicitor-general, in defence of the chief justice, "that ingenuity cannot torture into evidence of improper conduct." It was of such ingenious torturing that he (lord C.) complained. He would ask the learned gentleman, whether a just judge would assign a false reason for an injurious line of conduct, and when the evil was effected pursue a different course? The learned gentleman triumphantly asked, "Does a misrepresentation appear on the face of the summing up imputable to the judge? Is there any assignable reason for his deviating from the line of his duty?" He (lord C.) had nothing to do with his motives, though probably he could assign them. It was sufficient that he had sustained injury and suffered injustice. He would ask the learned solicitor-general, whether upon the face of the summing up, transactions which were directly opposite in evidence were not represented to the jury as alike—as evincing a unity of action? He would ask whether the jury ought to have been told by the judge that the non-disclosure of facts which to an innocent man must be unknown, was evidence of guilt? Why did lord Ellenborough, if his intentions were to do justice, assert no proof of his (lord C's) guilt, and the falsehood of his affidavit, that a name could not be written at the bottom of a note, because a postscript was afterwards added? How came he to tell the jury in his summing up, that it was impossible to say from whom the bank notes found on the agent of the fraud proceeded, though it was in proof from whom he received them? How came he to deny the existence of a letter sworn to by the person who wrote it, and the person who received it, although there was no opposing evidence, merely because, having been destroyed, it could not be formally produced? How came the learned judge falsely to assert to the jury, that the fraudulent messenger had no means of shifting himself, when it was in proof that he had a portmanteau? Why did he suppress the fact in evidence, that it was big enough to contain that change of dress so necessary for his subsequent concealment? The learned gentleman had called on the House to recollect the situation in which the judge stood—surrounded by men of the most enlightened mind—persons in high situations, and a crowded court. He asked, is it likely that he would so commit himself? But the learned gentleman had not favoured the House with the opinion formed by those present of his conduct.—He had called on the House to read the charge, and say whether the verdict was not merited. He (lord C.) hoped they had read the summing up, and the evidence too, and that they had themselves ascertained that the former was a gross misrepresentation of the latter. The learned gentleman had protested that it was a fair summing up against a body of persons. He (lord C.) did not complain of it in that point of view, but as he was individually concerned. He hoped the House would not be led away by assertions, but that they would investigate fully, and then pronounce their decision.

He (lord C.) would contend, in contradiction to the opinion of the right hon. gentleman below him (Mr. Ponsonby), who had said that the charges against the lord chief justice could not be entertained unless corrupt motives were set forth, that as the motives of the mind could not be ascertained, it was sufficient to show the injustice of his acts. He hoped the right hon. gentleman had read the whole of the charges, though he had confined his observations and criticisms to the first. As he had directed all his attention to this one charge, how came he to pass unnoticed the false reason assigned by the judge for compelling the defence to be entered on after midnight, when the jury were in a state of stupefaction, and the counsel incapable of conducting the cause from fatigue? Why did the learned judge adjourn the court the moment that the counsel had laboured through the defence, without examining one of those witnesses whose release from attendance he had represented as a matter of state necessity, and as the cause of his compelling the counsel to proceed. If the judge's views were correct, why resort to false excuses? But the learned gentleman (the solicitor-general) had told the House, that they became responsible for the truth of the charges against the lord chief justice if they entered on an investigation of the truth of their contents. This was a new doctrine. The slightest reflection would show the futility—the fallacy of this opinion. They were responsible only for the decision they should come to when the whole facts were before them.

It was the bounden duty of the House to probe the matter to the bottom; for, either the lord chief justice was unfit to sit on the bench, or he (lord C.) ought again to be expelled from that House, but not again without investigation. If the charges against the lord chief justice were untrue, why such anxiety on the part of the relatives, coadjutors, and legal friends of the chief justice to get rid of them without clearing the character of the learned judge from the slander they contained? He could not believe their conduct proceeded from any tenderness towards him (lord C.)—Why not prove them false, and expel him from that House and from society for ever? He trusted that the House would pursue that line of conduct on the present occasion which their duty to their country, a regard to their own character, and that which was due to the character of the lord chief justice demanded. He entreated the House to sift the matter to the bottom. He hoped they would hear the evidence he had to produce at the bar. Should they, however, be prevailed on to adopt a contrary line of conduct, he would pursue his object until he obtained that verdict from the public and from posterity, over which that House, powerful as it was, had no control.

The House then divided:

For the Motion 00
Against it 89

The tellers for the motion were lord Cochrane and sir Francis Burdett.

Mr. *Ponsonby*, in reply to some observations that had fallen from lord Cochrane in the course of the former debate, assured him that he had given the subject much attention, and had read through the whole of the charges that very day. He thought the noble lord had acted a part extremely natural to a person in his situation, and that this situation called for the utmost indulgence and the most patient consideration on the part of the House. This indulgence, he conceived, had been amply afforded, and the last feeling which could influence him or any member of the House was the feeling alluded to by the noble lord himself, namely, that of derision. The question was not as to the guilt or innocence of the noble lord, but as to the guilt or innocence of lord Ellenborough. The chief justice was there drawn into the character of a defendant; and the point was, whether or not a case had been made out against him. Upon this point the House, with the exception of the noble lord himself and the hon. baronet, had come to an unanimous decision. But there was now another question before them, with regard to the proceedings which ought to be taken on the matter of charge which had been just voted unworthy of consideration. It was impossible that the House should suffer to stand on its Journals those accusations which it had declared to be utterly unsupported. The necessary consequence of declaring them not worthy of examination seemed to be to expunge them from the records of its proceedings, lest any indirect appearance might be afforded that matter of crimination had been laid against the chief justice. Without any view, therefore, of preventing or interfering with the noble lord's intentions of pursuing any ulterior proceeding, he begged leave to move, "That the several entries in the votes of this House of the 5th day of March last, and the 1st and 5th days of this instant April, of the proceedings of the House in relation to the said articles of charge, be expunged from the votes of this House."

Lord *Castlereagh* seconded the motion, which he thought due both to the House itself, and to the character of justice in the country. He was happy to see the question so fully and impartially considered, because it was desirable for all parties that every doubt should be dissipated, and because it was important to mark, that even if the noble lord had established his allegations, the facts proved would not warrant the conclusions which he drew from them. They contained no criminal matter whatever, but imputations, devoid, indeed, of all colour, but amounting merely to vague charges of partiality and misrepresentation. He agreed entirely in the propriety of erasing them from the Journals. He had known instances in which the characters of political men had been unjustly attacked in parliament, and in which the House had marked its opinion in a decided way; but the most dignified course, when the judicial character was concerned, seemed to him to be that suggested by the right hon. gentleman, whose own legal eminence gave it an additional sanction. With respect to the learned judge against whom the accusation was directed, he would only say, that the almost unprecedented vote that had just taken place, would show the sense the House entertained of his character and conduct.

Lord *Cochrane*, said it gave him great satisfaction to think, that the vote which had been come to, was come to without any of his charges having been disproved. Whatever might be done with them now, they would find their way to posterity, who would form a judgment on them different from that which had now been come to by that House. After the decision just come to, it was useless to take the sense of the House on this new proposition. He, however, so long as he had a seat in that House, would continue to bring them forward, year after year, and time after time, till he was allowed the opportunity of establishing the truth of his allegations. Nothing in the charges had been disproved, and he should not fail to bring them again under the consideration of the House in another shape.

Sir *F. Burdett* did not oppose the motion, as he viewed it as the necessary consequence of the decision come to on the motion of the noble lord.

The question was then put and carried.

HOUSE OF COMMONS.

Wednesday, May 1.

ILLEGAL INSURANCES.] Mr. *Bennet* presented a Petition from several prisoners confined in Cold Bath Fields prison; setting forth, "That the petitioners having been summarily convicted of taking illegal insurance in the lottery, were severally sentenced to the punishment of imprisonment, under which they are now suffering; and that they feel convinced, that if their respective cases were investigated, most demonstrative proofs would appear of their innocence, and that their convictions were obtained by wilful and corrupt perjury; and praying for relief." The hon. gentleman stated, that convictions for this offence were often awarded against respectable persons on the testimony of common informers, who received five pounds as the reward of their perjury. He alluded to various cases of peculiar hardship, and detailed the circumstance of one, where an innocent and respectable individual had been deprived of his liberty and his character, and had been sent to the house of correction on the evidence of a low woman, who lived by falsehood and perjury. He expressed his conviction that several of the present petitioners were innocent of the offence for which they suffered; and said, he could particularly make such a statement with regard to two of them.

Mr. *Lyttelton Littleton* said, that had he needed an additional incitement to persevere in his intention of bringing the whole subject of lotteries before the House, he should have found it in the circumstances of the present application. He therefore rose again to pledge himself to come forward soon with a motion on the subject.

The petition was ordered to lie on the table.

MOTION RESPECTING THE APPOINTMENT OF TREASURER OF GREENWICH HOSPITAL.] Mr. *Wynn* rose to call the attention of the House to the late appointment of sir Thomas Thompson, a member of the House, to the office of treasurer of Greenwich Hospital. It was expressly provided by act of the 6th of queen Anne, c. 7, that any member of the House who received an office of profit or emolument from the Crown, should immediately vacate his seat. In the same act, it was declared, that any military officer serving in the army or navy, receiving a new commission in the army or navy, should not be obliged to vacate his seat. Unless, therefore, the House were of opinion that the treasurership of Greenwich Hospital was a commission in the army or navy, they must decide that sir Thomas Thompson ought, in consequence of his appointment to that office, to vacate his seat, as they had no discretion whatever on this subject. Even if there had been precedents of members retaining their seats after an appointment to the office in question, which there were not, the House, because they had judged erroneously in one instance, were not bound to judge erroneously in all others. It was to be observed, that in all the early cases immediately after the passing the act, the House did not require the governors of garrisons to vacate their seats. In so doing, he was inclined to think they did wrong; but as the appointment was in the form of commission, and signed by the King and secretary of war, and as it was paid from the military establishment, it might be, in some degree, considered as a military commission. In the case of the appointment of governors to Greenwich Hospital, there were instances of members of that House who had not vacated their seats. But with respect to the office of treasurer of Greenwich Hospital, it had been specially determined by the House in 1736, that captain Baker, on his appointment to it, should vacate his seat. This was the first time that the House had had the question before them since 1736. The hon. gentleman concluded with moving, "That the appointment of treasurer of Greenwich Hospital, is not a commission in the army or navy."

Mr. *Bankes* said, it could not be pretended that the treasurership of Greenwich Hospital was a military or naval commission; and if the question were to come before them now for the first time, he should be inclined to vote for the vacating a seat in the House. The House having, however, in a number of analogous cases, come to a different determination, he did not see how they could with propriety depart now from these precedents; the most convenient way of getting rid of the subject would, therefore, be by moving the previous question. There were a number of instances of governors of Greenwich Hospital retaining their seat after their appointment: and the office of treasurer in no degree varied from that of governor in so far as it had any relation to a military commission. It was impossible, however, that either of the appointments could be conferred on any but naval men; and after the first step in the army or navy, all collateral appointments might, by a liberal interpretation of the act of parliament be considered as included under the exception in favour of new commissions. This was not a question as to eligibility to a seat in the House; it was a matter which rested in the discretion of parliament; and as the governor of the hospital was not compelled to vacate his seat, by analogy he thought that the treasurer should not be so compelled.

His own opinion was, that sir Thomas Thompson had not vacated his seat, therefore he should move the previous question.

Mr. Serjeant *Onslow* said, he differed altogether from the view which the hon. member for Corfe Castle had taken of the subject. He deprecated the new and dangerous doctrine that had been broached by the hon. member, of permitting the House to exercise a dispensing power, and explain the act according to its own wishes. The act was precise; it said, that the seat of a member should be vacated on accepting a place of emolument, or one held at pleasure, excepting from its operation officers of the navy or army receiving new commissions in the regular line of their professions. But, was the office of treasurer of Greenwich-hospital in the regular line of the naval profession? The office had been often held by civil persons, and might now, but for a local rule, which rendered the appointment of a naval person necessary. He hoped that the hon. mover would press the question, for he was convinced that the House would not so far forget its duty, as to sanction the principles which the hon. member for Corfe Castle seemed anxious to establish.

Mr. *Abercrombie* declared, that he never saw a clearer case than the present, and was astonished that the hon. member who moved the amendment should call upon the House to decide in the teeth of an act of parliament, and of a precedent which applied exactly. Who were entitled to decide with regard to the meaning of the act? Was it the people whose representatives they were, or the House itself, which might be supposed to have an interest in giving it a construction favourable to the appointment to office of individuals from among them? The object of the act was to check the influence of the crown in that House, by sending members back to their constituents when they accepted office, and the House ought not to dispense with its observance. What made the case still stronger was, that this was an office held during pleasure.

Mr. *Rose* confessed, that he considered the case precisely in the same point of view as his hon. friend, the member for Corfe-castle. The analogy was so very close between the office of governor of the hospital and of treasurer, that he could not see any difference between them, and consequently whatever principle had been established respecting the one, should hold with regard to the other.

Mr. *Ponsonby* said, he had never heard more extraordinary arguments than those used by the hon. member for Corfe Castle. The question was this, whether the acceptance of a certain office by a member of that House should necessarily vacate his seat? The act of parliament distinctly stated in what cases such should be the consequence, and what were the exceptions. The only exception was in favour of naval and military officers. But was the treasurer of Greenwich-hospital one? Neither one nor the other; and this was so clear, that the hon. member sat out with saying, that he could not directly negative the motion, and was, therefore, compelled to propose the previous question. The case did not come within the exception of the act. If, then, it came neither within the rule nor the exception, on what ground could the House refuse to vacate the seat?—upon analogy; for it seemed that members did not vacate their seats by accepting the office of governor of the hospital. Now on this point no question had ever been raised; but the hon. member had said, that as the governors of the hospital had been allowed to sit, the House should not now order a new writ to be issued to render the practice uniform. But in reality the case had been already decided, so that to refuse the writ would be to act in direct opposition to the law and the decision of the House; and thus the hon. gentleman, with his accurate and logical mind, argued, that because in a case where no question was raised, seats were not vacated, the House should now, to render its practice uniform, not vacate a seat in a case by no means analogous, and in which a contrary decision had been already pronounced! The question, in fact, no longer remained for argument—it was already decided, and the House were now called upon to depart from the letter of the law, and established precedent. And what was their inducement? Was it in favour of the subject's liberty? No. Was it to support the privileges of the House? No. But they were desired to depart from the law and practice, to arrogate the supremacy of their own will above the act of the combined legislature—to wander capriciously from prescribed rules—to establish a claim favourable to their individual interests, but prejudicial to the general rights of the public—and all this to preserve a fanciful analogy to a case which, in the opinion of the hon. member was in itself incorrect, and which, if it came then for the first time before him, he would decide differently.

Lord *Castlereagh* conceived that the appointment was naval; but even if it could not be strictly brought within that denomination, the general principle on which the House had hitherto acted, was to relax the severity of the law in favour of professional advancement. The hon. gentleman, becuase he perceived a sort of colour of distinction between the present case and others which had occurred, had expressed himself as if he had made out a triumphant statement. But the general policy of the law was obvious. It was this, that where the patronage of the Crown was professional, or collateral with professional duties (as the office of treasurer of Greenwich-hospital was now more than ever it was), there the provisions of the law should not be construed to extend. Unless the House were willing to deviate from a rule of practice which had existed for fifty or sixty years—unless they thought they were compelled to act on a principle, which he did not consider a wise one, that of interfering with officers placed in situations not strictly held on military grounds—the argument of the hon. gentleman could not be received as good. In his opinion, the House ought not to endeavour to lessen the advantages which were held out to professional men. Those individuals were not certainly overpaid for their exertions. There were certain offices the appointment to which was undoubtedly beneficial to them. But they would cease to be beneficial, if they were coupled with such disqualifications as the hon. gentleman contemplated. His motion, if carried would have the effect of sending the individual back to his constituents. The hon. gentleman might think that this would be no disadvantage, and, in one point of view, it certainly would not; for he was sure sir Thomas Thompson would be sent back to parliament triumphantly. But it ought to be recollected, that considerable expense would be incurred by the proceeding. On the general principle of the case, he saw no just grounds for the motion, and, should, therefore, vote for the previous question.

Lord *Archibald Hamilton* said, that the noble lord had opposed the motion on two grounds: first, that this appointment was in the nature of a naval appointment, which statement was not borne out either by argument or precedent; and next, that, according to the practice of the last fifty years, this was an office, the appointment to which did not render it necessary to vacate a seat in that House. The noble lord had quoted one instance in support of his argument, but, unfortunately, it made directly against him. That which ought to decide the question was, however, the law, as contained in the act of parliament. The act was intended to guard against any influence which the Crown might endeavour to create, by bestowing offices on members of that House. What feeling ought the House to adopt on this occasion? If only a doubt were entertained, that the present case came within the meaning of the act—and, in his opinion, there could be no doubt whatever on the subject—he conceived the hon. member ought to be sent back to his constituents. The House ought to incline to that which the law was enacted to protect, and acting in conformity with the statute, to send the hon. member back to his constituents, for them to inquire into the propriety or impropriety of re-electing him.

Mr. *Wynn* in reply, observed, that no person could fairly argue this to be a case which was included in the act of parliament. The noble lord said, it was not an express infraction of the law. Good God! were they to hear it gravely stated, in the House of Commons, that they were, when they pleased, to be guilty of infractions of the law, no matter how trifling. The noble lord had stated the case of the surveyor-general of the ordnance, as one that bore out his assertion. But, if he had read the precedents, he would have found that the surveyor-general did vacate his seat in 1784. One surveyor-general did not so vacate—and he mentioned the case merely to show how litte attention was paid by parliament to transactions of this nature—to prove how possible it was for a member to take a situation without vacating his seat—no person troubling himself about the occurrence, or thinking of the necessity of moving for a new writ. Captain Barclay, however, the individual who succeeded to the situation of surveyor-general, did vacate his seat. The controller of the navy had uniformly been a naval officer. Now, if the House said, that the governor of Greenwich-hospital should not vacate his seat, because he also was an officer in the navy, the same species of argument might be applied to the controller. If the House thought proper on this occasion to decide against the motion, in the teeth of the law, of reason, and of precedent, they were at liberty to do so. He certainly would make no further motion on the subject.

The House then divided:

For the previous question	65
Against it	47
Majority	18

Motion respecting the Cash Payments of the Bank of England.] Mr. *Horner* rose to make his promised motion, that a select committee be appointed to inquire into the expediency of restoring the Cash Payments of the Bank of England, and the safest and most advantageous means of effecting it. The hon. and learned gentleman began by observing, that it was a matter of great convenience that he had been enabled to bring forward the proposition which he had then to submit to the House before the bill for continuing the restriction act, came under discussion; because it was his opinion, as it had been that of many gentlemen in the House, that when it was proposed to renew the restriction on the bank payments for two years, that their attention should be called in detail, and on a specific motion, to the reasons why this restriction should be continued under the present circumstances; and on what principles, or under what motives, it was adopted as a permanent part of our peace system of finance. The surprise which he had felt when he heard of the proposition to renew the restriction on cash payments in time of peace, had been generally felt throughout the House and the country; because if any thing could be collected from the former declarations of ministers, and from the enactments themselves, it was this—that at the end of the war the system adopted in time of war should be abandoned, and that we should revert to that state of law and practice, on which alone any secure system of finance could be founded. The proposal to renew the bank restriction, for so long a period as two years, had had this effect—that he doubted the sincerity of the professions which had been all along made by ministers, of their desire to effect the renewal of the cash payments [Hear, hear!]. The professions of the ministers had always been, that at the termination of the war the restriction should cease. Yet now, after the enjoyment of peace in reality, for nearly twelve months, and six months after the ratification of the definitive treaty, the House was called on as a matter of course, to continue the restriction, not for such a short period as would enable the bank to make arrangements for the renewal of their payments, but for a period of two years. This they were requested to do, without any one step being taken to facilitate the resumption of cash payments. Looking, therefore, to the manner in which his right hon. friend, the chancellor of the exchequer, had proposed the measure, he entertained very great doubts of the professions of ministers. But, if he felt a doubt with respect to ministers, no doubt whatever existed in his mind with respect to the bank of England. Were they not told, year after year, until they scarcely could hear the declaration with gravity, by gentlemen connected with the bank, that their not resuming their cash payments was all a matter of compulsion—that it was against their system—that nothing was so painful to their feelings, as their being prevented from paying their notes, of every denomination, in gold and silver? He always thought, if it were a measure of compulsion, that never was resistance so weak as that which was opposed to it by the bank [Hear, hear!]. And he was of opinion, that if they were really desirous to renew, as soon as government would permit them, their payments in silver and gold, they had given, under the resistance which ministers opposed to their wishes, an example of the passive grace of fortitude which never had been exceeded [A laugh]. Therefore, from this day forth he should think, whatever professions that body might please to make, that they would be very well contented to enjoy all those vast and almost incalculable profits which grew out of the adoption of this measure [Hear, hear!]. For, from the trammels created by it, arose a subserviency in the government to the bank, which rendered ministers incapable of fairly going into the money market. He would not go farther into this subject, because it had already been ably discussed by an hon. member (Mr. Grenfell), whose luminous statement, founded on the most authentic documents, was on record upon their journals, and showed such an example of rapacity on the part of a corporate body, and of acquiescence on the part of a government, as stood unrivalled in the financial history of any country in Europe [Hear, hear!]. He believed, that his right hon. friend, the chancellor of the exchequer, had no settled system of opinions at all on this subject. He had a sort of notion, that if cash payments could be resumed, without altering his plan of finance, it would be as well if things were restored to their old order. But sooner than attempt this reform, he thought it was better to rub over this year and the next year, and to make up, by the assistance of the bank, any defalcations that might arise in the finances of the country, however exorbitantly he was to pay for the accommodation. He had no doubt, from the renewal of this measure, being for two years, that it was intimately connected with the financial arrangements of his right hon. friend. His right hon. friend said, that his plans and the renewal of the restriction were coincident in point of time, and had no other connexion. But any man who recollected what took place at the meeting of the bank proprietors, would form a different opinion. Early in the year, when the first bargain was about to be entered into, the proprietors were told, that ministers meant to renew the bank restriction act. Why was this statement made, unless to induce the proprietors to agree, with a better grace, to the loan which was demanded of them? But what other effect had the information which was given on this subject? When it was afterwards stated that the bill was introduced, there was an immense and an immediate rise in the price of bank stock. It was said, that the bank had no interest in the renewal of the restrictions. If that were so, it was strange that the most ignorant person in the market should at once perceive that his property would be benefitted by it, and that, therefore, it was advisable for him to speculate. He believed, on the occasion to which he alluded, that bank stock rose about 18 per cent. The proposal to renew the bank restriction act for two years was a most extraordinary measure, when compared with the extension of it at a former period. It was known with what trembling anxiety, in 1797, six weeks and six weeks had been added to the term of the act; and with what caution in 1802, the government, suspecting the peace of that year to be precarious, had proposed short extensions of the restriction. Even after the principle (a mischievous and fatal principle he conceived it to be) of making the restriction a war measure had been adopted, it had always been determined that it should cease six months after the conclusion of a general peace. And last year, when surely the peace did not present such a prospect of duration as at present, it was only extended to a fixed day—the 5th of July—in the following session. But now it was to be extended two years, without any reason, unless it was to be understood as the price of the loan which the bank was to advance. The question of the restriction had of late been put on a new ground, by connecting it with the agricultural distresses. But, if the bank restriction was to be grounded on the agricultural distresses, why was it to be continued for two years? Was not every one more and more convinced every day, that the distress would be a temporary evil? Why, then, was not the restriction of a short duration?—Only with a view to the bargain between the bank and the treasury. He knew this would not be avowed; but he would put it to all who were anxious for the security of the country, or desirous of preserving their own property, whether, after they had considered the circumstances he had explained, they could imagine, that this measure had nothing to do with the bargain entered into between government and the bank? Would they vote for inquiry this evening, or give their assistance to a measure, the true object of which was not avowed, and the only reason for proposing which, he conceived he had stated? On what ground did his right hon. friend mean to call on them to accede to these restrictions? And how did he mean to defend himself from the charge of not having taken any steps to compel the resumption of cash payments? These were points on which the House was ignorant, but on which it ought to be informed. And here he wished to correct an error which had been unjustly imputed to him and to those gentlemen who coincided with him in opinion. It was said, that they wished the cash payments to be immediately resumed. They never harboured such a sentiment. They always stated that it could not be done, without precautionary measures; but they conceived that no time should be lost in giving the country full assurance that payments would be renewed, and in taking speedy measures that this might be done with safety. The measures which had been successively proposed to parliament, were to put off, not only the cash payments, but the consideration of the means of again bringing them about.

He would ask the House did they not feel some anxiety on this head? Had they felt no evils from the long suspension of cash payments? Were they sensible of no evils after all that had passed in the course of the discussions of the agricultural distress, during which no one had been hardy enough to deny that a great evil had arisen from the sudden destruction of the artificial prices [Hear, hear!]? Would any man say that there had not been a great change in the value of money? What this was owing to might be disputed; but, for his own part, he had not the least doubt. From inquiries which he had made, and from the accounts on the table, he was convinced that a greater and more sudden reduction of the circulating medium had never taken place in any country than had taken place since the peace in this country, with the exception of those reductions which had happened in France after the Mississippi scheme, and after the destruction of the assignats. He should not go into the question how this reduction had been effected, though it was a very curious one, and abounded in illustrations of the principles which had been so much disputed in that House. The reduction of the currency had originated in the previous fall of the prices of agricultural produce. This fall had produced a destruction of the country bank paper to an extent which would not have been thought possible without more ruin than had ensued. The bank of England had also reduced its issues; as appeared by the accounts recently presented. The average amount of their currency was not, during the last year, more than between twenty-five and twenty-six millions; while two years ago it had been nearer twenty-nine millions, and at one time even amounted to thirty-one millions. But without looking to the diminution of the bank of England paper, the reduction of the country paper was enough to account for the fall which had taken place.

Another evil which had resulted from the state of the currency, which he had foreseen and predicted, but which had been deemed visionary, was, that during the war we had borrowed money, which was then of small value; and we were now obliged to pay it at a high value. This was the most formidable evil which threatened our finances, and though he had too high an opinion of the resources of the country, and of the wisdom of the government, to despair, he was appalled when he considered the immense amount of the interest of the debt contracted in that artificial currency, compared with the produce of the taxes. These were the two grand inconveniencies which had resulted; and it was to be remembered, that the great difference during the former discussions on these subjects, was not so much in the theoretical as in the practical question. The late minister, Mr. Perceval, who had no general principle on the subject, thought that to revert to cash payments in time of war would be so difficult that it was not worth the hazard. But he (Mr. Horner) though he thought that the renewal of the cash payments was a matter which required caution and preparation, thought that the true policy was to meet the difficulty at once, and that it was a fallacy pregnant with evil to suppose that any lasting benefit could be derived from so factitious a state of the currency. The event had decided the question. But, turning from these results, and looking forward to the operation of this restriction in time of peace, it would be found to leave us without any known or certain standard of money to regulate the transactions, not only between the public and its creditors, but between individuals. The currency which was to prevail was not only uncertain but cruel and unjust in its operation—at one time, upon those whose income was fixed in money, and to all creditors—at another time, when by some accident it was diminished in amount, to all debtors. Was not this an evil sufficient to attract the attention of a wise, a benevolent, and a prudent government? If they looked at the agricultural interest, was not a fluctuation of prices the greatest of evils to the farmer? For supposing prices were fixed and steady, it was indifferent to him what was the standard? As long as we had no standard—no fixed value of money—but it was suffered to rise and fall like the quicksilver in the barometer, no man could conduct his property with any security, or depend upon any sure and certain profit [Hear, hear!]. Persons who were aware of the importance of this subject must be surely anxious to know whether there were any imperative reasons for continuing the present system, to know whether it was intended to revert to the old system, and if not now, when that system would be reverted to, and what would be the best means for bringing about that measure. This was the object for which he proposed to appoint the committee, that the House might know something of the true state of the case before they plunged headlong into the system of the chancellor of the exchequer. He hoped they should hear the opinion of his right hon. friend, and learn from him on what grounds the bill was now proposed, and what were the circumstances under which they might revert to cash payments [Hear, hear!]. If he looked at the professions of former times, he was at a loss to know how to apply them. The reasons for continuing the restriction had been said to be our great foreign expenditure, the necessity of importing corn, the high price of the precious metals, and the unfavourable state of the exchange. These subjects had created much controversy, which he should not now renew, but which he did not shrink from, and which he thought it probable he might have an opportunity again to discuss; for, if the present system were persisted in, the exchange and the price of gold would be very unsatisfactory to the bank and the chancellor of the exchequer. The opinions which he had formerly given had received a strong and unexpected confirmation by late events; but he had already modified the opinion which he had formerly given as to the price of gold. When, by the depreciation of the currency, gold was permanently separated from paper, it was subject to all the variations in price of any other article of merchandise. On this subject it was to be remarked, that in the last year, a year of peace, gold, though lower than it had previously been, was never below 4*l.* 8*s.*, which was equal to the whole of the alleged depreciation; but now that the country banks had called in their paper, it had fallen nearly to, and would soon be quite as low as the mint price. Let not the right hon. gentleman flatter himself that if the bank of England were to issue their notes to that extent, which they were likely to do upon the enactment of his bill, the country banks would not return to their former practice, and the rate of prices be affected by that practice. The House should therefore be prepared for such consequences, and in due time consider how to provide against them. To afford an opportunity for that consideration was the object of his motion, and he hoped the House would see the propriety of acceding to it. The high price of bullion, the rate of exchange, the importation of foreign grain, and the amount of our foreign payments, which were on a former occasion pleaded as reasons for the restriction of cash payments by the bank, could not now be urged; because those reasons no longer existed. Therefore his right hon. friend, who urged those reasons on the occasion alluded to, was called upon in consistency to support the present motion, in order to ascertain how it became necessary, after the cessation of those reasons, to continue the restriction. For himself, he could not conceive, after those reasons had ceased to exist, the measure could be justified. He had heard of publications, copies of which were pretty widely circulated, and the object of which was to show, that if bank notes were issued in the same abundance as they formerly were, prices would again rise, and the farmers be consequently benefited; that this therefore would be a good thing for the country, and that grain might probably again rise to 100*s.* a quarter. But he (Mr. H.) could not suppose the right hon. gentleman prepared to support his measure upon such grounds; or that he would be an advocate for the issue of bank notes, with a view to raise the price of grain. For if the right hon. gentleman would do so, he must become the advocate of one of the most monstrous projects that had ever been imagined. Projects somewhat similar had no doubt been brought forward and tried during the regency in France, and about the same time in this country, but the result proved their fallacy. Both governments were, however, in these cases, the dupes of projectors. But if his right hon. friend should press such a project as that to which he had alluded, he would not be the dupe—but the fallacious projector himself. This course, however, he could not suppose the right hon. gentleman prepared to pursue.

In what he had said, he did not wish it to be understood that his object was to have cash payments resumed immediately, but that steps should be immediately taken with a view to that resumption—that the bank should set about it—that the directors should prepare for the resumption—that indeed both government and the bank should set about measures to relieve the right hon. gentleman from the dilemma in which he was placed by the removal of those causes which he had formerly assigned to justify this restriction. He would not specify any time within which this restriction should be removed—he would not even mention two years—but he could not help thinking that it was the duty of government and the bank at once to set about the means of accomplishing that object which the public had a right to expect. Necessity was the only reason ever urged in justification of this restriction; and when the necessity ceased, the country naturally expected that the restriction should cease also.

The hon. and learned gentleman here proceeded to discuss the second branch of his motion; namely, the best means by which the bank might be enabled to resume its payments in cash. He had, he said, already observed, that he would not specify any time at which that resumption should take place, but he felt it highly desirable that measures should be taken with a view to that resumption. For instance, he thought it should be enacted that the bank should gradually pay its several notes according to their value. Thus as the Restriction Act was to expire in July, it might be provided that the bank should pay all notes of 1*l.* within six months; afterwards, its 2*l.* notes within the next six months; its 5*l.* notes within the succeeding six months; and all its notes above 5*l.* after that period. By such an arrangement, the bank would be guarded against the consequences of any sudden change, while the just claims and expectations of the public would be gratified. But before the committee which he proposed, this subject might be fully considered, after an examination of witnesses, including the directors of the bank and others, competent to afford every necessary information.

Another subject, which would properly come under the consideration of such a committee, would be the state of our metallic currency. He had heard that it was in the contemplation of government to have a new silver coinage, with a view to relieve the country from that sort of bad English, and still worse French silver, with which it was at present inundated. This silver was indeed so very base, that it would probably be better for the country to have no currency at all, than be subject to suffer by such a circulating medium. But in considering this subject it would be very material to ascertain whether the new silver coinage should be according to the old standard, or whether any new standard should be established. For if the system of paper currency were to be restored to the rate at which it some time since prevailed, it might be inconvenient and unjust to re-establish the old mint standard of silver; for by such re-establishment, government, as well as individuals who sent silver to the mint for coinage, would be very likely to suffer a considerable loss. It was idle to expect that good money and bad would circulate together. The mint might be constantly at work; but not for the benefit of the public—its new coinage might be poured into circulation, but it would not continue in circulation. It would, if some regulation with respect to our standard did not take place, immediately vanish, and the expense would be incurred in vain. The hon. and learned gentleman said, he had now come to an end of the two objects of his motion—the expediency of resuming cash payments, and the properest method of doing this. He hoped that the House would make some inquiry on the subject: he did not ask them to adopt his opinions, but at least to make some inquiry, and not to pass on as a matter of course. If the House did grant what the chancellor of the exchequer proposed, they would in fact pass a bill to continue the restriction for ever. He must be an idle dreamer who could suppose, after what had passed, that the chancellor of the exchequer or the bank directors ever meant to resume cash payments at all. If, then, this bill were sanctioned, as a matter of course, they made the system permanent. They set their seal to it and must answer to the country for the consequences. The hon. and learned gentleman then moved, "That a Select Committee be appointed to inquire into the expediency of restoring the Cash Payments of the bank of England, and the safest and most advantageous means of effecting it."

The *Chancellor of the Exchequer* believed, that the difference in opinion and intention between himself and the hon. and learned gentleman, was far less than the hon. and learned gentleman supposed: but in one point, indeed, he most decidedly differed from the hon. and learned gentleman; namely, that by prolonging the restrictions for two years more, it was intended to continue them for ever. Now the bullion committee were themselves of opinion, that cash payments could not be resumed in less than two years after the return of peace; and the hon. and learned gentleman did not contend for any specific time, but only contended that preparatory steps should immediately be taken. He (the chancellor of the exchequer) should not object to any preparatory measures; and these, in fact, had been taken by an act passed long ago, which enabled the bank to prepare the way for a more general payment. The only danger was, the expense that might accrue to the bank from a general and immediate payment—an expense which might exhaust their treasures, and drive them again to call for protection from parliament, or lead to embarrassments in the commercial circles. Those evils would be avoided by waiting till there was a considerable quantity of coin in circulation—till the public appetite was, he would not say satisfied, but, stayed by some supply: the object of the act he had mentioned was, to make such issues as this. By the 37th Geo. 3, c. 91, it was declared lawful for the governor and company of the bank of England to issue cash for any notes under the value of *5l.*, giving notice thereof to the Speaker, and in the London Gazette. This was not a mere form and pretence, for the bank had acted on it to a great extent. Within twelve months after the restrictions were imposed, notice was given, and fractional sums under *5l.* paid in the whole, amounting to a sum of great magnitude. There were other preparatory measures which might be adopted. One important modification would be, to extend to the bank, after the resumption of cash payments, permission to issue notes under *5l.* The notes under *5l.* had been a long time the substitutes of the ordinary circulation; and it would be for the wisdom of parliament to consider, whether they would continue or put a stop to this system, which, on the whole, he considered salutary. The banks of Scotland, for instance, had been in the habit of supplying the circulation of that country with notes of this description, and no ill effects had resulted from the measure: it was for the wisdom of parliament, however, to decide on the propriety of this, after an experience of some years, and after due deliberation. Another measure he should suggest was, for some time after the resumption of cash payments, to afford to the notes of the bank of England the protection of being received in government payments. The notes of the bank of England did not exceed half the revenue of the country; and, by making them a legal tender in government payments, we had the means of protecting the bank to a considerable extent. Preparations such as these he certainly thought advisable; but the hon. and learned gentleman could not show any grounds on which a shorter period than two years would be advisable for the resumption of cash payments. Even if he (the chancellor of the exchequer) thought that a period of two years was rather more than what was absolutely necessary, yet, connecting the situation of the bank with that of the country, he felt a strong conviction that no evil could ensue from the restriction being prolonged for that time, more especially when he considered the inconvenience of an opposite course. The hon. and learned gentleman had formerly insisted much on the depreciation of the present paper currency, but in no part of the world were those notes now of less value than the sum which they represented: at Hamburgh they were worth more—in Ireland more. The hon. and learned gentleman had contended, that a considerable part of the distress of the country was owing to prices having been forced up by a fictitious currency. Now, the fact was, that the prices were not raised by the currency, but the state of the currency, was the effect of high prices: the rise in prices preceded the augmented state of the currency; and circumstances had shown that a reduction of the amount of the circulation was not the cause of the fall of prices, as the notes of the bank of England continued undiminished. It was indeed true, that when prices began rapidly to fall in consequence of the apprehension excited by importation, the country banks drew in their advances, and thereby both increased the alarm and produced a scarcity of the circulating medium, so that the farmers could no longer form a demand in the markets as usual. These circumstances also proved that paper currency could not be extended beyond what the circulation required. If any gentleman would look at the periods when the variations in the price of gold took place, he would find them unconnected with the price of grain. At the beginning of 1813, wheat was at 120*s.* 7*d.*; in the end of the same year it was 82*s.* 4*d.*: but the price of gold in the beginning of that year was *5l.* 6*s.* 6*d.* an ounce, and in the end of the year *5l.* 10*s.* To the eternal credit of this country, the bank restriction, though perhaps it might have forced up the price of gold, had proved the delivery of Europe, by enabling us to carry on a system which could not otherwise have been supported. However, the advantages derived from this measure would be very dearly obtained by bankruptcy and distress; and he should be as sorry as any man to see a stagnation of trade in the country. He agreed with the hon. and learned gentleman in condemning the opinions of those who would raise the prices of commodities by an issue of fictitious money; but he wished to restore public credit, and to give such a circulation as might prevent any alarm in the country. The period at which the present bank Restriction Act would expire was next July. The hon. and learned gentleman himself did not wish that cash payments should be resumed all at once; perhaps a period of one year might, on some accounts, be deemed more satisfactory than two; but two years were more likely to clear us of all difficulties, and had more the appearance of a decisive and final measure; for annual bills were frequently continued for a century together. The bullion committee had recommended a period of two years from the return of peace, and all he requested was a term of two years and seven months. The hon. and learned gentleman said that the peace might be antedated to last July; but our forces were in full number till the ratification of peace, and it was not till December last that exchanges reached par. Till they were at par, or in our favour, no influx of specie could take place. It was evident, that all these circumstances were more favourable than could have been expected; the effect of peace had been to restore favourable exchanges, and a corresponding rate in the price of bullion. He felt fortified in the measures proposed, by the opinion of some of the most eminent members of the bullion committee; though he had no wish to renew that discussion, for the accounts had been laid on the table, and were open to every member's inspection. The hon. and learned gentleman had suggested preparatory measures; but these would be unnecessary, because they had already been provided by the act which had been mentioned: but there were some others which parliament would probably adopt. Where, then, he would ask, would be the advantage of any further inquiry? The whole case was already sufficiently understood, and all possible information had been afforded to the House. There was only one new point which could be ascertained, and that was one which parliament had never thought it proper to inquire into, the actual state of the treasury of the bank of England. It could not be contended that any danger existed of nonpayment in the end, for the accounts were regularly brought before the House. The restoration of the old currency must be effected by a gradual change; for the bank would be exposed to be called upon when payments were resumed, not only for what was required by the circulation of England, but the demands of the banks of Scotland and Ireland must be thrown into the scale; unless, however, the present favourable circumstances should change altogether, he had no doubt whatever of the absolute resumption of cash payments at the end of two years.

Mr. *J. P. Grant* declared, he never had heard a case more ably stated than that of his hon. and learned friend, or more feebly answered than by the right hon. gentleman. He fully concurred with his hon. and learned friend, that if the right hon. gentleman's bill were adopted, the resumption of cash payments would never take place while the people submitted to the restriction. But the impolicy and danger of continuing the restriction, must be obvious upon due consideration. All that was wanted was, that some inquiry should be gone into, some pledge given, to show the bank that parliament was not playing fast and loose, but that it was their determination to have cash payments resumed, allowing a reasonable time for preparation. That was all that his hon. and learned friend required. They had been told that the financial operations of ministers had nothing to do with those restrictions, and they were told also that the restrictions themselves were of no advantage to the bank, or at least, that the bank did not desire them. Now, under what circumstances was it that the restrictions were originally imposed?—from the necessity, created by the financial operations of the chancellor of the exchequer of that period, of doing something for its security. If honourable gentlemen would take the trouble of examining into what passed at that time between the government and the bank, they would find that the bank made a representation, stating that the demands upon it, by the chancellor of the exchequer, were so great, that the establishment was not safe. Upon that ground it was that the bank stopped its cash payments, on the authority of the council. And when towards the close of the year 1797, the bank expected to resume cash payments, and declared their ability so to do, what course had they adopted with this view? They had reduced to the lowest possible pitch their advances to government. Now, what was the plan proposed by the right hon. gentleman preparatory to the resumption of cash payments by the bank? He built his whole system of finance for the year upon borrowing from the bank, and at the same time he brought in the present bill, thus connecting the two circumstances together by that operation, connected as they ever must be in their own nature. He did that very thing which prevented the bank from resuming cash payments, and yet desired the House to believe that it was only a temporary measure. He had little doubt, however, that it would prove a settled system, by which to carry on the financial operations of the country, through the medium of accommodations from the bank. The system itself was not only a most absurd one, but it had produced the most serious inconveniencies to the country, for the price of every commodity had kept pace, to a certain degree, with the varying price of gold and silver. If the present measure were adopted, what would be our situation at the expiration of the two years? when in time of profound peace, the price of gold would be the same, the paper currency depreciated to the same extent as formerly, and consequently the resumption of cash payments by the bank impossible. He certainly thought a very strong ground had been laid for inquiry, and he trusted the House would not reject the motion of his hon. and learned friend.

Mr. *Marryat* said, that the House and the country at present laboured under the grievous disappointment of finding their expectations deceived, of the resumption of cash payments by the bank, at the expiration of six months after the signature of a definitive treaty of peace. With respect to the bill, proposed by the right hon. gentleman, he had read its provisions with extreme surprise, for the preamble recited that it was expedient that the bank should pay in specie as speedily as possible, and yet the enacting clause declared that this payment ought to be deferred two years longer. What were the points of expediency as applicable to it? Was the price of bullion as high now as it had been? Quite the reverse. It was well known that a large quantity of specie had found its way into this country. He, as a merchant, knew the fact; and it had also happened to him individually, that a considerable quantity of foreign specie had been sent to him, which, from the depreciation of its value, he had sent back to his correspondent, as a less loss was sustained, even by the expense of double freightage, than would have been incurred by selling it here [Hear, hear!]. Then, as to foreign exchanges, how did they stand? They were in our favour in every part of the world. With respect to the bank, it was said that they made no objections to the resumption of their cash payments. On the contrary, they protested against not being allowed to establish their credit upon the same basis as it had heretofore stood, and upon which it always ought to stand. What other causes, then, could be alleged? Was there to be a loan?—No. The chancellor of the exchequer had expressly said, that there was not the slightest connexion between the continuance of the restrictions and his dealings with the bank. He was glad to hear that statement; for if there had been any such connexion, he should have no hesitation in saying, that it was one of the most usurious bargains which any Jew broker ever made with any heedless, spendthrift minor [Hear, and a laugh]. What possible argument, then, could be urged to prevent the resumption of cash payments? The consequences of the present bill would be most grievous to the country. All that distress and difficulty, that revulsion, he might almost say convulsion, which the country had undergone during the last year, would be renewed whenever the bank should be compelled (and a time must surely come when it would be compelled) — to resume its payments in cash. The restrictions he considered as a great and powerful engine in the hands of ministers, to alter and modify the property of the country at their discretion; but such a power they ought not to possess, and he wished to see the necromancer's wand broken and thrown into the red sea. The only way, in his opinion, of compelling the bank to resume their payments, would be by making it their interest to do so. The act was originally passed to rescue the bank from the consequences of its own improvidence; and what had they done since? The average annual issue of their notes, in the four years preceding the passing of that act, was about 11,000,000*l*. It was now about 27,000,000*l*., producing an annual profit of 800,000*l*. He thought it would be a wise course, when the bill went into the committee, to propose the insertion of a clause for the bank to pay 50,000*l.* a year, or any given sum, to the public, until they did resume their cash payments; and he trusted that some such amendment would be adopted.

Mr. *Frankland Lewis* said, he wished to add his protest against the dangerous system involved in the principle of the bill. He thought a strong and unanswerable case had been made out for inquiry. He had on many occasions watched with the utmost anxiety to collect, if possible, from the right hon. the chancellor of the exchequer, his real opinions upon the nature of the connexion with the bank, but hitherto it had been in vain. He could not, even after the speech which the right hon. gentleman had that night delivered, see thoroughly what course he proposed to himself that was consistent with good faith and sincerity. The right hon. gentleman said, indeed, that he thought it highly desirable the bank should return to cash payments, but he did not seem to say it with that confidence as if he really believed himself. There were many reasons which led him to think, that the right hon. gentleman did not sincerely believe that at the end of two years the bank would be one jot nearer to the resumption of cash payments. If the bank were left to itself, its interest was so diametrically opposite to a resumption of cash payments, that it was utterly childish to expect from it a voluntary proceeding of that kind. The House must take upon itself to make it compulsory; for all other measures would be nugatory. There could be no doubt that the late distresses had been greatly aggravated by the subduction which had taken place from the currency. It was important to consider, too, how this fluctuation of value affected our finances. We had borrowed 200 millions in a depreciated currency, and this sum, it should be recollected, must be one day paid in a currency restored to its legitimate value at an immense loss to the public. The appointment of a committee was, he thought, indispensably necessary; and after a due investigation, the House could then point out the preparatory mode by which the object might be ultimately accomplished.

Lord *Castlereagh* said, that the only question for the House to consider with reference to the continuance of the restriction act was this—what measures were necessary to conduct the circulation of the country into its natural and healthy state, from that into which it had got by the operation of that train of causes superinduced by the war, in which the country had so long been involved, and the very unusual way in which that war had been carried on? Certainly, in considering this question, it was natural that the views of hon. gentlemen should be tinctured with those opinions which they had formed upon the subject, at a time when the circumstances connected with it were very different from those which now operated. This had accordingly taken place; for it was impossible not to discover that the inferences and arguments of the hon. gentlemen on the other side of the House were drawn and formed from the opinions which they had long ago entertained. These opinions he had always opposed; because he thought, that the situation of the country required a very different course to be adopted from that which they recommended: and he was now quite sure, that instead of a war vigorously carried on and gloriously terminated, if the other measures had been adopted, the results would have been quite the reverse. One hon. gentleman opposite had said, that he dreaded the renewal of the restriction act now; because it would become so much ingrafted upon our financial system, that its renewal would be thought a matter of course and a necessary accompaniment to any future war in which this country might be engaged. But he would desire that hon. gentleman to dismiss such a fear from his mind: for it could not be expected that the country would ever again be involved in a war attended with such extraordinary circumstances as those which had rendered it a measure of necessity during the late war. It was not his wish to touch upon the old question so long agitated upon this subject, but he could not refrain from saying, that if gold had been continued as the only standard of our currency during the late long and eventful war, we should soon have been left without any standard at all; and by the preservation of such a standard the prices of articles and the measure of their value would have been infinitely more changed than it had been; it would have been distorted in such a way that the country could scarcely ever have recovered from it. In comparing the merits of different systems of circulation, he agreed that the precious metals formed the best, with such a mixture of paper circulation, as the state of credit might allow. But as to the circulation of a country, placed in the extraordinary circumstances in which Great Britain was during the late war, the case was a completely special one, and not to be treated on merely general principles. If an attempt had been made to keep up cash payments from the bank of England during the war, the inevitable result would have been the complete destruction of the banking system. In fact, no plan could have been adopted so steady in its operation—so little liable to objection, under the circumstances of accumulating and increasing industry in the country, and its situation with relation to foreign nations. But the war was now happily concluded, and the operation of these extraordinary causes, which had compelled the adoption of extraordinary measures, was fast diminishing. Considering our present situation then, we must look forward to the speedy resumption of payments in specie by the bank of England. Now he would say, that the bank was more interested than even the country in wishing the resumption of cash payments. It was, however, absolutely necessary that the country should have completely recovered from those effects of the war, under which it still, in some degree, laboured, before it could be at all safe to allow cash payments to be resumed. During the intermediate space which must now take place, it would be expedient to act upon a permissive system in order to prepare the way for the entire abolition of the act of restriction. It was absolutely necessary with a view to the interests of the country, that a considerable period should elapse before the bank could be permitted, —he would not say undertake—to resume its payments in specie. Even that committee which some years ago had come to a resolution against the continuance of the restriction act, when they advised its discontinuance, determined that the period of two years from the time of this decision should be fixed as that at the expiration of which the act should cease. It was quite clear, that the time had not now arrived when these payments could be renewed. Already the price of silver had been much reduced, and his lordship was persuaded, that in a few months gold would be equally plentiful; and he was confident that the directors of the bank would not be so base, or so negligent of their interests, as not to commence payments in cash: the directors had no motive to act otherwise than was most consistent with the public convenience, and would scorn to fill their pockets by deriving unfair advantages, and deceiving parliament. He did indeed allow that circumstances were now disclosing themselves with respect to the price of silver, which must speedily be expected to take place also with respect to gold. The price of silver was now so low, that if it were not for the act of parliament preventing it, the metal would be carried to the mint by individuals to be coined, as being a more profitable way of disposing of it than selling it at the market price. When the price of gold, by the state of exchange, fell equally low in proportion, then, (in fact, though not in law, cash payments would be resumed, and without the repeal or discontinuance of the restriction act, or any compulsion on the bank to pay in specie. There would be this intermediate principle of compulsion in the resumption of cash payments (before it was made compulsory on the bank) by individuals finding it their interest when the price of gold fell sufficiently low, to carry their gold to the mint to be coined, as a more profitable way to dispose of it, than by selling it at the market price. When gold fell so low as to produce this effect, the mint would coin free of expense, which would induce individuals to have their gold; and thus, independently of the bank, the circulation would become metallic. When by these means a substraction of metallic currency was supplied, he should then think that the resumption of cash payments by the bank might be made compulsory without any injury to its credit. But until this intermediate principle of compulsion, which he had mentioned took place—until it became a matter of profit for individuals to bring their ingots of gold to the mint to be coined, the restriction act could not be wisely discontinued. It was the interest of the bank to accelerate the time when this should take place. Great inconvenience and distress had arisen to country bankers, from the uncertainty how to regulate their operations with reference to the time when the restriction act was to cease. These inconveniencies would be now totally obviated by fixing the period of two years. On a view of the whole subject, he did not feel any ground for instituting the inquiry which was moved for; because it was quite evident that the period of two years, which had been fixed upon, was sufficient to bring matters to such a situation, that the continuance of the restriction act would, at the expiration of that period, be unnecessary.

Sir *John Newport* observed, that the noble lord, in his usual style of eloquence, a style peculiar no doubt to himself, but at all times unintelligible to the House, had talked of "an intermediate principle of compulsion" [Hear, hear! and a laugh]. His not understanding the noble lord arose, probably from the sublimity of style to which the noble lord uniformly aspired, but which was unfortunately inaccessible to any individual but the noble lord himself [A laugh]. He wished to know what these words meant?

Lord *Castlereagh* begged the right hon. baronet to recollect that he had explained those words to mean, that principle by which a metallic currency would be forced to appear, by the low price of gold, without before forcing the bank to resume its payments in specie.

Sir *John Newport* proceeded. Now he had the pleasure for once to understand the noble lord; but would it not have been better for him at first to have spoken in a manner fit to meet the comprehension of all, than to have clothed his meaning in language totally devoid of common sense? The noble lord had next asserted that the directors would not be so base as not to pay in gold as soon as possible; but he forgot that every one of them took an oath to make all the profit he could for the benefit of the proprietors. What hope, then, was there, if the public were left to the tender mercy of the directors, that they would ever withdraw their notes? And if the time to be allowed were placed at the discretion of the noble lord, the issue of specie would only be contemporaneous with the termination of his political career. If time were given, what security had the country that the bank would employ it in preparation? The plan of the noble lord was, either at the end of two years all cash payments should be commenced, or that at that period the bank of England should begin a gradual issue of specie; so that the mind of the noble lord did not seem at all made up; but, in both alternatives, more especially the last, he contemplated a permanent peace of many years. It was quite clear, and the country could not fail to perceive it, that the opinion of the noble lord, whatever it was, was dictated by convenience: it originated in that intimate and most injurious connexion subsisting between government and the directors of the bank of England, which put to hazard the best interests of the country, which compelled the payment of interest by the nation for the use of its own money, and which accounted for the civility, not to say servility, of the chancellor of the exchequer to the directors. It prevented that officer of the public from looking dangers in the face which he had not courage to meet; and enabled him, by temporary supplies, to satisfy immediate necessities, by which those dangers were increased, and by which the nation might ultimately be brought to absolute ruin. He protested warmly against the continuance for two years in time of peace of a bill originally resorted to from six weeks to six weeks in time of war.

Mr. *Manning* observed, that after the lapse of two years the country would be able, with tolerable certainty, to expect a return to the old and wholesome state of currency. Whatever might be the opinion of others, he could bear witness that it was the most anxious wish of the directors to return to the cash payments restricted in 1797. It was, however, fit, in the first instance, to use many precautions; for the question did not merely relate to the bank of England, but to the whole system of the country formed upon the paper currency. He denied that the directors took any such oath as that mentioned by the right hon. baronet; they were left entirely to their discretion as to the best means of promoting the interest of the concern. He then referred to the amount of bank notes in circulation at different periods, to show that they had little influence upon the value of commodities, and to the gradual reduction in the price of gold, to prove that it was affected by external circumstances, and not by the issue of paper. The measure ought not to be considered as one applying only to the bank of England, but as a measure in which the general interests of the empire were concerned, as it allowed them two years for doing so, within less than which time it could not with certainty take place. If they withdrew their paper, and were laid under the necessity of paying in specie sooner, the greatest inconvenience to trade would be the result. He thought, therefore, that there should be no compulsion on the bank to alter the state of the currency till circumstances enabled them to do so without danger or embarrassment. The whole should be left to the discretion of the bank, and he had no doubt that the directors would take such steps as would gradually enable them to accomplish the desirable object of a return to cash payments. Caution, was, however necessary.

Mr. *Ponsonby* begged to say a few words in reply to what had fallen from the hon. director. He was anxious that nothing he might advance should be construed into any mark of disrespect to the body of directors, personally considered. The hon. director had accused his right hon. friend of mistaking the nature of the oath taken by the governor and directors of the bank. His right hon. friend had not mistaken the nature of that oath, so far as it bound them to consult the interests of the body of proprietors, for whom they acted as trustees: but if they were not bound by oath, certain he was that they were bound by honour to make the greatest profits they could for the interests intrusted to their management. The motion before the House had for its first object the appointment of a committee of inquiry into the propriety of resuming cash payments speedily. If the House did not express strongly its opinion on this subject, he believed the bank would take no steps to restore the metallic circulation. He was confirmed in this idea from some expressions in the speech of the noble lord. According to him, we were to consider our relation to the other nations of Europe, and the aspect of the whole political world, before we compelled a return to cash payments. If we were to do this, he had no doubt that pretence would always be found for delay, and that the period of seeing the renewal of the former circulation of the country would never arrive. The second object of the motion was, after due inquiry, to fix a period beyond which the present restrictions would not subsist, and the bank would be obliged to pay their notes in specie. If the House rejected this motion, the restrictions on the bank would, he was convinced, remain in perpetuity.

Mr. *Baring* said, he felt as much as any member of the House how necessary it was, for the security of property and the equitable adjustment of mercantile transactions, that the country should return to cash payments. There was no other mode of preventing fluctuation of prices, inconveniences in trade, losses in exchange, and general suspicion and convulsion, at intervals, in the best interests of the nation, but by returning to the rules of our former currency. Entertaining this opinion, he was as great an enemy as any man to the restriction act in itself. He had opposed the resolutions of the present chancellor of the exchequer in 1810, because he thought them erroneous and impolitic. The right hon. gentleman had restated his former opinions on the security of a paper circulation when issued voluntarily, and he differed with him now as much as ever. Paper could not suffer depreciation, he thought, if taken voluntarily, or given on good security. When he stated this opinion, the right hon. gentleman had surely forgotten that a great part of the paper issues were compulsory. It was issued in payment of the public creditor to the amount of forty millions annually, and the public creditor was thus compelled to receive it, unless the right hon. gentleman meant, by a voluntary acceptance, that those to whom it was offered might either take it, or want their dividends. Adverting to the oath of the directors to consult the interests of the proprietors, he allowed its general obligation, but denied that it bound them to take unfair advantages of the public, or to persevere in a system which would be ultimately ruinous. The bank directors and proprietors themselves, as their fortunes consisted in money, and were measured by money, would be the greatest sufferers by its depreciation. Accordingly, every minister who had entered into transactions with the bank would give the body of directors credit for not wishing to issue an excessive amount of paper. Returning to the argument of the right hon. gentleman, that no paper currency could be excessive that was voluntary, he thought that it refuted itself, as it would lead to the absurd conclusion, that quantity had no tendency to reduce value, and that the same sum of money was of equal value when it bore a great or a small proportion to the objects for which it was to be exchanged. So far was he from agreeing with the right hon. gentleman in this respect, that he believed depreciation must necessarily be caused by excessive issues, whether voluntary or involuntary; and that there was no mode of attaining stability and security in our money transactions but by returning to a medium of exchange at once universal and exportable. The real questions before the House, however, were, whether we should return to cash payments soon, and what was the best mode of ascertaining the point? He was convinced that two years were necessary to enable the bank to supply specie in sufficient quantity for the circulation of the country. This was a period fixed upon in the report of the bullion committee drawn up by his hon. and learned friend who brought forward the present motion, and he saw no reason why it should now be shortened. He was of opinion that the House should intrust the whole to the discretion of the bank, and depend upon its zeal, and its desire of answering the expectations of the country, so conformable with its own interests. The expectation and the opinion of parliament were too plainly expressed in the preamble of the bill to be either mistaken or neglected.

Lord *Folkestone* acknowledged that the preamble of the bill expressed it to be a desirable thing that cash payments should be again returned to; but the bill itself contained no compulsory clause to that purport. After the expiration of the two years, the same arguments might be again repeated for a prolongation of the term of returning to our former circulation, which the House had that night heard. The bank had hitherto taken no steps to fulfil the expectations of the country; and what reason was there for believing that they would now do it? July was the period when the restriction act would expire; and, as they had made no preparations for such an event, what ground had he for believing that in two years after this we should find them more willing, or more prepared, to afford us the precious metals in lieu of their promissory notes? If this bill was to pass, he would be bound to consider it as equivalent to an act for the perpetual suspension of cash payments in this country.

Mr. *Huskisson* trusted that he should obtain credit with the House for feeling a desire to see cash payments resumed. The only thing, indeed, about which members appeared to differ, was the most eligible mode of attaining what all united in wishing to see accomplished. There had grown out of our present circulation some inconveniences and many advantages. Our industry, our enterprise, and the improvement of our agricultural and commercial resources had increased under it to a surprising degree; but we had suffered from it and other causes a revulsion that had been productive of much temporary distress. When the bullion committee finished its labours, the late Mr. Perceval had endeavoured to show that no change could take place in the state of the currency during the season of war and pressure. He (Mr. Huskisson) had then expressed opinions which he still retained. Our currency involved inconveniences, but they were more than counterbalanced by the resources which its nature afforded for prosecuting our great national objects. Without it we could not have procured for ourselves, our allies, and posterity, those blessings that the settlement of Europe presented to our view. The hon. and learned gentleman's motion embraced two objects: first, an inquiry into the expediency of resuming cash payments soon; and, secondly, the best mode of effecting them. No inquiry was necessary on the first point. All agreed that there was no security for property, no stability in public credit, no confidence in trade, no mode of adjusting the rights and consulting the interests of all classes of society, without a circulation rendered steady by possessing a permanent and universal value; but, having said this much, we should leave to the bank the task of restoring the use of the precious metals at their own discretion. He was of opinion, that the object would be accomplished in less than two years, though it was proper to allow that space of time for the bank to take such prudent and cautious modes of doing it as they should think best calculated to obtain their end. He denied that this period was too long, or that a great rise of prices was to be dreaded in consequence of the continuance of the restriction while it lasted. If such a result threatened to take place, the House would watch it, and take measures of precaution. Adverting to the character and duties of the governor and directors of the bank, he allowed that they had services to perform to the proprietors, but he likewise contended that they owed honourable conduct to the public. In order to obviate an objection of the noble lord, he wished that in the preamble of the bill there should be introduced a clause declaratory of the expectation of parliament, that at the end of two years the bank should resume its cash payments. An amendment to this effect might be proposed in the committee.

Mr. *Thompson* expressed his confident hope, that in the course of the year specie would be circulating in great abundance in this country; founding this opinion on the fact of the great rise of the exchange, within the last four months. He hoped the time was not far distant, when, as in the case which had been supposed by a right hon. gentleman opposite, on a former occasion, every man would have a guinea in his pocket; and it would then be seen what little anxiety there would be for bank notes. He concluded by expressing a hope, that ministers would promote the productive labour of the country, in which, more than in gold, its real wealth consisted.

Mr. *Horner* commenced a luminous reply, by declaring, that in any thing which he had advanced on this question, he had meant no personal disrespect to the directors of the bank, or to their organs in that House. He had spoken of them merely collectively as a corporation, and considering them in that capacity, he had no hesitation in repeating, that he put no confidence in their declarations, when they expressed an anxiety for the resumption of cash payments. He would not take up much of the time of the House at that late hour, and therefore would forego the tempting opportunity of exposing the inconsistency of the arguments which had been urged in support of restriction by the right hon. gentleman opposite (Mr. Huskisson), who, though he admitted the sound policy of a speedy resumption of cash payments, seemed by his speech to leave that question in the same state which it had been in for some years past. As to what had been said on the subject by the noble lord (Castlereagh), the hon. and learned gentleman expressed his ignorance of its precise tendency. He would therefore, from inability, abstain from following him. The noble lord had thrown out such a mass of language and ideas, and had made such a novel combination of twisted expressions, that it was difficult in the many theories he had urged, to understand that one which applied to the resumption of cash payments, or to the manner in which they might be most speedily effected [Hear, hear!]. It was possible that the noble lord held the thread which would guide him through the labyrinth of theory and phraseology into which he had gone; but as that thread was not visible to him, he would not venture to plunge into the inextricable abyss [Hear, hear!].—The hon. and learned member then took a view of the arguments which had been urged on the other side of the House in favour of restriction, and observed, that if the expediency of the resumption of cash payment at the end of two years, which had been admitted, was put into the bill—if it was made part of the bill that the bank should resume its payments in that time, and that the intermediate period should be spent in making preparatory arrangements for that purpose, he would withdraw his motion, and lend his aid to the forwarding of such arrangements. But he added, that this was not the intention of ministers, and that by the present bill they left the time of resuming cash payments as undefined as it was in 1797. The bank directors had once expressed themselves anxious to attend to the directions of the House; it therefore now became the House, if they sincerely wished for the resumption of cash payments, to give such directions as would most speedily conduce to that object [Hear, hear!]. He had asked of the gentlemen opposite, what were those fortunate circumstances under which cash payments would be more easy than at present? To this question no answer had been given. No one efficient reason had been given why those payments should not now be resumed. Under these circumstances, then, he put it to those members who were present, whether, after all they had heard, they did not conscientiously believe that an inquiry was necessary. If after what had passed they did not vote for inquiry, they must stand to the consequences. The noble lord had talked of the bill being formed on the permissive system. Did he mean by this that the bank would not be precluded from resuming cash payments if they thought proper? What he objected to in the bill was, that, instead of intimating the wish of the House that preparations for resuming cash payments should be made in the interval of two years, during which it was to last, it left these preparations to be made after the expiration of the bill, and thus removed to an indefinite period the resumption of money payments. The inevitable effect of it would be, by prolonging the uncertainty and vacillation of our circulating medium, to subvert all property both public and private. The hon. and learned gentleman concluded his reply, by stating, that if the committee on the bill were pressed that night, he should move some clauses, in consequence of what had fallen from the noble lord.

The House divided:

For Mr. Horner's motion	73
Against it	146
Majority	—73

List of the Minority.

Abercrombie, Hon. J.
Atkins, John
Bankes, H.
Barham, J. F.
Babington, Thos.
Burdett, Sir F.
Calcraft, John
Caulfield, Hon. H.
Chaloner, Robert
Calvert, N.
Cochrane, Lord
Duncannon, Visc.
Dundas, Hon. L.
Douglas, Hon. F. S.
Forbes, Charles
Fergusson, Sir R. C.
Folkestone, Lord
Gaskell, B.
Gordon, R.
Guise, Sir. Wm.
Grant, J. P.
Harcourt, John
Hamilton, Lord A.
Hornby, E.
Howard, Hon. W.
Jervoice, J. J.
Knox, Thomas
Latouche, Robt.
Law, Hon. E.
Leader, Wm.
Lewis, T F.
Lloyd, J. M.
Lyttelton, Hon. W.
Macdonald, James
Mackintosh, Sir J.
Maitland, Hon. A.
Martin, H.
Martin, John
Milton, Viscount
Monck, Sir C.
Moore, Peter
Morland, S. B.
Morpeth, Lord
Marryat, Jos.
Newman, Wm.
Newport, Sir J.
North, Dudley
Ossulston, Lord
Parnell, Sir H.
Pelham, Hon. G.
Philips, George
Ponsonby, Rt.Hon. G.
Poulett, Hon. W.
Prittie, Hon. F. A.
Ramsden, J. C.
Rancliffe, Lord
Ridley, Sir M. W.
Romilly, Sir S.
Russell, Lord G. W.
Sefton, Earl of
Sharp, R.
Smith, Wm.
Smyth, John, H.
Stanley, Lord
Talbot, R. W.
Tavistock, Marquis
Tierney, Rt. Hon. G.
Waldegrave, Capt.
Wharton, John
Warre, J. A.
Wilder, General
Wynn, Sir W. W.
Wynn, C. W.

TELLERS.

Grenfell, Pascoe
Horner, Francis

MOTION RESPECTING ALIENS.] Sir *Samuel Romilly* apologized for bringing forward at that late hour the motion of which he had given notice, and stated that he had been obliged so to do, in consequence of the precipitation with which the Alien Bill was pressed through the House by ministers, although no satisfactory reason had been assigned why this power, extraordinary in time of peace, should be invested in them. It had been said that the act at present in force would expire on the 12th of May; but that could be no argument for the bill, as there were now no foreigners in the country, whose presence ought to be considered dangerous. What he wished to gain by his motion was, to know the number of foreigners who had been sent out of this country at the instance of any foreign minister under the several alien acts. This would show to the House the manner in which this power, which was now sought to be renewed, had hitherto been exercised, and whether it had been in any instances abused. This information, he contended, was necessary, as the House should know, before they granted any such power, whether it would be likely to be abused; and they could only judge of this by seeing how it had hitherto been exercised. The House should also recollect, before they passed this bill, what were the circumstances under which the alien bill was first introduced, and compare them with those of the present time. France was at that period in a state of revolution, when the most dangerous notions of liberty were entertained, and when she was in the habit of sending delegates, who spread those notions to other countries. But the same dangers did not now exist. There were now no persons coming from France, whose presence or opinions could be considered injurious to this country, and therefore there was not the same necessity for the existence of such a law as the alien act. Sir Samuel then contended against the policy of a measure which would exclude alien friends from our shores, for we had now no enemies abroad, and therefore all persons coming to the country should be considered as friends, and should be encouraged as they had been ever since Magna Charta to the present act [Hear!]. He mentioned the high opinion which had ever been entertained by foreigners of the liberty and independence of English law, and particularly those of Montesquieu, and contrasted them with those entertained at the present day. In better times we had uniformly encouraged the oppressed to flee to this country as a place of refuge where they might exercise their industry and their arts. As one instance of the effects of the alien bill and its continuance, he would notice the circumstance of an English nobleman being ordered to withdraw from a neighbouring country, and the example of England was quoted in defence of it. He conceived that this new peace alien bill, as it was called, was designedly in furtherance of that alliance which existed for establishing and forming governments contrary to the will of the people, and thus giving the ministers of those allied powers the means of persecuting every individual who was obnoxious to them, and who ventured to entertain and cherish ideas of liberty. If it should turn out that no persons had been sent out of the country at the request of foreign ambassadors, he should rejoice to hear it; but he suspected the case was very different, and he could conceive no possible objection to a return of them being made. Sir Samuel then moved, "That there be laid before this House, an account of the number of aliens sent out of the country under any of the acts relating to aliens, upon the applications of any foreign minister, distinguishing the numbers in each year."

Lord *Castlereagh* believed, that, ever since the introduction of the alien bill in 1793, it had been opposed by the hon. and learned gentleman most strenuously; but although that was the opinion of the hon. and learned member, yet parliament had adopted another view of the question, and it had been found consistent with the wisdom of parliament not merely to pass the act of 1793, in consequence of the distressed state of the continent, but, after the peace of Amiens in 1802, and that of Paris in 1814, laws to the same effect had received the sanction of the legislature. He trusted, when the Bill itself came regularly under the consideration of the House, that course would be pursued which had formerly been thought most proper to be adopted; and he had no doubt but that it would be satisfactorily shown that the motives for its enactment were still more pressing than in former times. The precipitancy with which this measure was carried through the House had been exclaimed against. He believed that nearly a week had elapsed since it was first introduced, and the bill had not yet passed its second reading. Dispatch was, however, requisite, because, as the present act expired on the 12th of this month, some inconvenience would certainly result if there was any unnecessary delay. The bill now proposed to be passed was a peace alien bill, in which an additional power was given to individuals to appeal to the privy council. He apprehended that the present motion, if granted, would be bringing the question most unfairly before the House; but he had no hesitation in declaring, on the part of the noble viscount who was engaged in this particular department, that he never had acted from the instigation of any foreign minister. That noble person had never felt himself authorized to act upon any thing but a British policy, and in no other light could it be considered. Upon these grounds, therefore, he felt himself bound to oppose the motion; and he should always think that he should be acting with gross indecency if any communications made by foreign ministers were disclosed to the House.

Mr. *Ponsonby* begged leave to read the motion to the noble lord, in order that he might know the purport of it; for not one of the objections he had stated lay against the motion, as it did not seek any one of the objects which the noble lord supposed it to seek. He begged of the noble lord to think of some other argument against the motion, for the sake of his friends who were to vote with him.

Mr. *Addington* thought it would be extremely difficult for the hon. gentleman to show to the House that the remarks of the noble lord were irrelevant. It had been stated by an hon. member some time since, that instances were known of aliens having been sent out of the kingdom at the instigation of foreign ministers. This statement he then denied, because he was satisfied the noble secretary of state would never have acted under the guidance of any foreign minister: but, since that time, he had made further inquiry into the subject, and he had been informed by a very respectable individual in the alien office, that to his knowledge there was no instance of an alien having been sent out of the kingdom at the instigation of any foreign minister. The investigation was pursued still further, and he had desired two gentlemen, who had been long employed in the alien office, and one of them ever since its establishment, to refresh their memory with the necessary books and papers. Upon the question being put to them, they both declared to the same effect as others he had consulted on the same question had done. During the last session of parliament an hon. member, now deceased, representing the county of Bedford, had asserted, that certain Portuguese aliens had been sent out of the kingdom in consequence of certain representations from foreign ministers. At that time he was indeed unable fully to contradict the statement; but subsequently he had ascertained, that the allegation was unfounded. If, therefore, on parliamentary grounds, the motion was persisted in, for the same reason he should continue to resist it, although, in fact, no aliens had been sent out of the country under those circumstances, and the motion would be answered by a return with the expressive monosyllable *nil*.

Mr. *Baring* really believed that the right hon. gentleman (Mr. Addington) with all his solemnity of expression, was totally unacquainted with what was passing in his own office. He hoped that some better grounds would be stated for resisting the motion than those already mentioned. The noble lord and the right hon. gentleman seemed to differ a little in their statements: the one said it would be improper to reveal the communications made by foreign ministers, admitting, therefore, that they did exist; and the other observed, that the motion, if granted, would be answered by a return of *nil*, as he termed it. He would have recommended the right hon. gentleman to have consulted, instead of his clerks, the noble lord, his relation, upon the subject, in order to have prevented this unlucky contradiction. With respect to the two Dutch merchants, he could inform the House, having paid particular attention to the subject, that they had come to London merely from commercial motives, but had not been in the city more than a few hours, before a message arrived, desiring their immediate departure; and accordingly they were obliged to leave the country. The next day he personally applied to lord Sidmouth, to inquire into the reasons that had induced his lordship to give these orders; and the answer was, that instructions had come to his office from the secretary of state for the foreign department, which were so peremptory, that it was impossible for him to evade them [Hear!]. It plainly appeared, therefore, that these orders came through the office of the minister for the home department as a mere matter of form, instead of coming directly from the foreign minister. He happened to find out that his two Dutch friends were sent out of the country in consequence of the application of a foreign minister, and that the whole originated in ignorance and misapprehension.

Mr. *Addington* explained, that his noble relative, the minister for the home department, had stated positively to him, that it was a proceeding wholly unconnected with any representation from any foreign minister.

Lord *Castlereagh* said, he had acted entirely upon a British policy, putting out of view the policy of any foreign state.

Lord *Milton* was sorry to observe this important question involved in such inexplicable mystery. It was stated that no aliens had been ordered out of the country at the instance of foreign ministers; and, although communications had been received from those ministers, yet they were ordered from the country by what was called British policy. If no aliens had been sent out of the country by the instigation of any foreign minister, what grounds could be urged for resisting the motion? On parliamentary grounds that motion had been made, and it did not appear that inconvenience either public or private could arise from the production of the documents.

Mr. *Bathurst* considered that no sufficient grounds had been urged for bringing forward the motion. If there were any instances, they might involve foreign ministers; and if there were no instances, the motion was unnecessary.

Sir *Samuel Romilly* said, he could not consent to withdraw his motion; and he was the more determined to persist in it, when he heard the frivolous reasons assigned for resisting it. His object was, not to make any unnecessary disclosures, but merely to ascertain the number of the persons sent out of the country by the instance of any foreign minister, without any distinction of names or persons. He could not understand what the noble lord meant by British policy. It might be thought an object of British policy to oblige a foreign minister, or a foreign court, by sending persons disagreeable to it out of the country. He knew that individuals were sent off on grounds not at all connected with danger to the country apprehended from them. A cause happened to be referred to his arbitration between two foreigners. One of his majesty's ministers, he would rather not mention his name, as he was now dead, took a strong interest in one of them. In the course of the business, one of them was found to have misconducted himself. The noble lord to whom he had alluded, said that was a person who ought to be sent out of the country under the Alien Bill. He knew that immorality had often been made a pretence for sending persons out of the country. The noble lord had characterised him as a general enemy to alien bills. Now, it so happened, that this was the first time he had spoken on the subject, and he had delivered no opinion with respect to the necessity in former times. But when the noble lord described him as an enemy to it in 1793, he seemed quite to have forgotten himself; for that was thirteen years before he was a member of parliament! This was exactly the fable of the wolf and the lamb. It really was unworthy of the noble lord to seek such a momentary triumph, as that which he could gain by assertions like this.

The House then divided:

For the Motion	31
Against it	82
Majority	—51

Sir John Cox Hippisley gave notice that he should move for the appointment of a select committee to examine and report upon the regulations prevailing in foreign states, respecting the intermission of papal rescripts, and the intercourse of their Roman Catholic subjects with the see of Rome; and also upon the nomination, election, collation, or institution of the episcopal order of their clergy of the Roman communion.

Mr. Ponsonby observed, that several orders of the day remained undisposed of. He should be sorry to retard the business of the country; but if it were intended, at so late an hour, to proceed with the committee on the Bank Restriction Bill, he should oppose it by every means in his power. The Chancellor of the Exchequer said, that as so large a portion of the night had been devoted to a discussion of the substantive merits of the Bank Restriction Bill, he conceived it might be suffered to go through the committee, but as the right hon. gentleman objected to such a proceeding, he would postpone the committee to Friday.—The House then adjourned at half past two o'clock.

HOUSE OF LORDS.

Friday, May 3.

Revision of the Statute Book.] The order of the day being read,

Earl *Stanhope* rose to submit his promised motion on the subject of the Statute-book. It was impossible, he said, that their lordships could be summoned for the discussion of a subject of greater importance than that of the revision of the statute-book. Before he stated the remedy which he proposed for the enormous evil of the undigested and confused condition of the statute-book, he begged leave to mention, that there were two precedents which directly involved the principle of that remedy. The one was the proposition of a noble friend of his (lord Grenville) in 1809, for forming into one act all those acts which imposed the punishment of death in revenue cases. This proposition had been adopted, and the object had been accomplished. The other was a proposition made by himself last session, for a reference to the judges to prepare a bill for reducing into one act all the acts of imposing the punishment of the pillory, which had also been adopted, and the bill now lay on their table. What he should now propose rested on the same principle, but at the same time carried it much farther. Now, at the end of this last bill prepared by the judges, they had inserted some observations, stating that the pillory was the punishment for some offences, not merely by statute, but at common law; and also that they could not say that there might not be statutes on the subject which had escaped their attention. He did not mean to impute blame any where, and, least of all, did he mean to cast any reflection on the judges, whom he most highly respected and venerated, and he thought the reserve with which they had spoken highly becoming and proper, and as fair as it was honourable: but, in point of fact, there were, two statutes on this subject, which had escaped their observation, and these were an act of the 2d Geo. 2nd and 31 Geo. 2nd. By the first of these the pillory might be inflicted, or fine and imprisonment, and also transportation for seven years, for the crime of perjury and subornation of perjury. By the second act the punishment of the pillory was taken away in cases of perjury, or subornation of perjury, resorted to for procuring probate of seamen's wills or letters of administration, in order to procure seamen's wages; and the offence was made liable to the punishment of death. Here, then, were acts which had even escaped the judges, though the matter had been referred to them six months before the bill was produced. Let it not be imagined that he blamed them, or any of them; but he wished their lordships to mark that circumstance, in order to give them some idea of the real state of the statute-book, when the judges found it difficult to find out and state what the law was. Something similar had happened in the case of one of the public departments, which had been ordered by the House of Commons to furnish a return of the laws inflicting the punishment of transportation. When a long time had elapsed, and an explanation was asked, why it was not made, the answer was, that the investigation was so extensive that it required another year to accomplish the task. He imputed no blame there; but their lordships, from this fact, might conceive what must be the state of the statute-book. In reality, it was absolutely impossible, in its present state, for lawyers even of the first ability to make themselves acquainted with it. He had some facts to lay before them in illustration of this statement. During the trial of Warren Hastings, which lasted six or seven years, to the no great credit of the justice of the country, and from which he had seldom been absent for more than five minutes at a time, he made it his business always to come down to the House very early; and he had done so for the very purpose of conversing with the judges, who always came down before the peers. He availed himself of this opportunity to collect as much information as he could on the state of the law. From all the judges he experienced great kindness and attention; but chiefly from chief baron Eyre, who, perceiving that his object was to endeavour to introduce those improvements in the arrangement of the statute-book, and in other respects, which the mere accident of birth gave him the means of recommending, had been extremely anxious to afford him the proper information, and was not only kind, but very communicative. In order to make the experiment, how far the judges were agreed as to what was the law in several particulars, he had put various questions. For instance, he had asked whether a person digging the brick earth from his own field, there manufactured it into bricks, and sold, thereby made himself a trader liable to the bankrupt laws. The judges of the common pleas were clearly of opinion the one way, and those of the king's-bench were as clear the other. Did not this show the necessity of applying some remedy to the confusion of the statute-book? A gentleman of the name of Sugden had published two books, the one on uses and trusts, the other on powers; and the cases to which he had referred in the former book were 636 in number; and those to which he had referred in the latter were 799; making together, 1,435 cases on these topics. It was impossible that such a vast number of decided cases could be in substance recollected, and their principles readily applied, even by the ablest and most industrious lawyer. If any one should be of opinion that the science of law was in its present state of easy attainment, he had only to refer him to that little pocket compilation, Viner's Abridgment, which was comprised into 20 volumes folio, and which, if it had been continued to the present time, would have amounted to 100 volumes. This was an abridgment. He remembered, too, that Mr. Dunning, one of the greatest lawyers that perhaps ever existed, in the trial of the duchess of Kingston, or some such public occasion, when Viner was quoted against him, said, that is law, because Mr. Viner chooses to say so. Lord Thurlow was a most admirable common lawyer; but in a dispute which he had with him in that House on the subject of a statute, it turned out that he was right, and lord Thurlow was wrong. It was a great feather in his cap to have got the better of lord Thurlow; and he recollected, that upon sitting down near that noble lord on the woolsack, the noble lord said, " I should be ashamed of myself if I were not accurately acquainted with the common law; but as to your."—he could not repeat his expression exactly, and must leave a blank for it [a laugh]; —" but as to your—statute-book, it is impossible to be thoroughly acquainted with it." He remembered too, having asked Mr. Dunning his opinion on the subject of a certain statute regulation relative to the excise, and Mr. Dunning's answer was, " Now I'll tell you all about it; but I never do answer these general questions when applied to by others. I always tell them, show me the statute to which you refer, and I will expound it for you, but that is all I can do." What, then, must be the state of the statute-book, when it baffled such men as Mr. Dunning, lord Thurlow, and the judges? Might it not be said, in the emphatic language of Scripture, " If the salt hath lost its savour, wherewith shall it be salted?" This called to his recollection the common expression—" the glorious uncertainty of the law." Glorious it might be to attorneys, conveyancers, special pleaders, barristers, and so forth; but it was most inglorious to the public. He did not mean to cast any general reflexion on any department of the legal profession: there were no persons more useful when they chose, and none had more the power of being useful: but there were exceptions of which he heard almost every day in the instance of pettyfogging attornies. He happened to be the other day in company with a man very eminent in the profession, and asked him whether forms of leases might not be attached by way of schedules to acts of parliament, such as leases of houses, leases of lands, and leases of lands and houses together, leases of coal-mines, &c.? to which he answered, that he saw no objection to it, and he thought there would be much utility in adding forms of the most common conveyances. The advantage of this would be, that parties themselves might copy these forms, inserting the proper names and descriptions, and sums; and, in nine cases out of ten, the assistance of attornies and conveyancers would not be necessary. He knew that the family of a noble duke (the duke of Bedford) kept printed forms, and gave them to the tenant; and while the assistance of attornies and conveyancers was thus in a great measure rendered unnecessary, the tenant might see at a glance what were the conditions of his lease. The same thing might be done with respect to pleading, and printed forms might be scheduled of declarations in the most common actions, with the proper counts, and thus render the aid of the special pleader in a great measure unnecessary. A person in his neighbourhood having a dispute, he happened to see the declaration, and he found that there was not one of the counts on which a verdict could be taken so as to maintain it. He went with the attorney to the special pleader, an eminent man, and convinced him that his counts were worth nothing. Others were added, but these were no better than the former; and upon pointing out this circumstance to the pleader he struck them out, and inserted two counts, which were very good ones. Different counts were sometimes necessary, because the action consisted sometimes of different cases. For instance, suppose he employed an architect to build a house, and the architect covenanted to do it in a workmanlike manner, but did not: then he had his action for the breach; but it might happen that there was a warranty, and if the evidence went to a warranty, that would not do without a count to sustain it, as had been decided by the court of exchequer, because it would be taking the defendant by surprise. That was not the subject of his motion; but he wished to show their lordships what it might produce if they adopted it. Now, the more their lordships looked at the statute-book, the more clearly they would see that it was like the Augean stable, and required somewhat of a similar remedy. He recollected a curious debate in the other House on the subject of the India bill. There was a lawyer on one side who stoutly maintained that nothing could be better than a charter, because it had the great seal to it, and therefore it proved itself. On the other side there was a sturdy Yorkshire lawyer, of the name of Jack Lee, who had been attorney-general, and he asked, " Pray what is a charter but a piece of parchment with a great piece of wax dangling at the end of it?" A shrewd Scotchman, of the name of Henry Dundas, followed up this by asking, " And pray what is an attorney-general when he is honged, but a mon dongling at the end of a string?" [A laugh]. But the object was to do as much as possible without the " mon dongling at the end of a string." Now, what did their lordships think of the new sort of *qui tam* introduced by an act of the 52nd of the King? By the 18th section, one half of the penalty was to go to the informer, and one half to the King; but the penalty in the 14th section was not a fine, but fourteen years' transportation, seven years of which were to go to the informer, and the other seven years he would not say to whom [A laugh]. This was a true Botany-bay *qui tam*, and it was the first of the kind which had ever found its way into an act of parliament. All this proved that the statute-book required revision. Another grand objection to the statute-book was its being so voluminous that it was impossible almost for any lawyer to know exactly what was law or what was not. There were on the subject of wool 977 statutes—on the subject of gold and silver 283—of tobacco 460—of fisheries 964, and a variety of others in proportion: and now, while on the subject of fisheries, he could not help pressing upon the attention of the noble lord (Melville) the propriety of employing the seamen in the fisheries, which was of all others the best way of employing them in time of peace, and the most desirable way of adding to the riches of the country; and thus other nations dependent upon us for their supply of fish would be more desirous of maintaining the relations of peace with us, from the inconvenience to which war would expose them. Then he might mention the acts on the subject of the poor—a subject so interesting in every view, whether considered with reference to the condition of the poor themselves, or the enormous tax levied on the public for their maintenance. The public acts on this head were 323, besides 117 local acts. By some of these local acts the poor were farmed out, and by others they were liable to be flogged. Of these local acts five had passed in the reign of George 2nd, and the remaining 112 in the reign of George 3rd. A noble lord who was not present had justly complained of the abuse of these local acts; the regulations in these cases ought to be general, instead of which the law was different in different districts; a man in passing from one district to another found himself under different laws, as if he were passing through the little states of Germany. Another monstrous grievance was, that laws were repealed and re-enacted, and then partly repealed again, with a " so far as," and so forth. No less than 1874 acts had been repealed, 419 in the reign of George 2nd, and 1455 in the reign of George 3rd; so that they had been passing bills in the present reign by waggon loads, and repealing them by cart-loads. And as to the manner in which these acts had been repealed, even if the direct object had been to create confusion, it could not have been done more effectually: but there were some curious statutes yet unrepealed. There was a statute of James 1st, which was in force at this day, by which it was illegal for women to leave the kingdom without a licence signed by six of the privy council, and any person assisting them to go out of the country was to lose his goods and chattels, and the master and mariners of any vessel carrying them out were to be most confoundedly punished. Now their lordships might think that this proceeded from the English and Scotch gallantry, which made the people of these countries unwilling to part with the dear creatures: but that was not the reason; and he would give their lordships from this time till to-morrow morning to guess, and would lay any wager that none of them in that time would be able to make out what it was. The reason was, that women were so popishly inclined, that their emigration was dangerous [A laugh]. Then it was a great evil that the titles of bills so often very ill pointed out the nature of the enactments. There was a bill on their lordships' table, the title of which related to duties on coals and candles, and the suppression of illegal lotteries. Now, who could conceive from the title that this was a bill about weights and measures? Then the phraseology of the bills was detestable. Nothing could be more unlike the language of the unwritten law and the ancient statutes. The principles were there expressed in brief, clear, and intelligible language, utterly unlike the vile phraseology of our modern acts; and he read some chapters of Magna Charta as an illustration. The principles of the Code Napoleon, which was still in force in France, also adopted this clear and intelligible style. " Laws are made for the future, and shall not be retrospective." This was a principle expressed in plain terms. Another objection was, that while the law was in this confused state, the reasons of judgments could not be entered on record, as was done according to the ordinances of the king of the Netherlands. Judges were naturally unwilling to enter the reasons on record, when the law was spread over such an immense mass of confused statutes, that the judges could not feel assured that they understood it. In the Roxburgh cause, the learned lord on the woolsack, and the noble earl near him (Lauderdale) differed; and though the point was trifling, lawyers were brought at an immense expense to reconcile them. Look at Magna Charta, how clear, brief, and intelligible! Then look at the modern statute-book, and see what an oppressive, dark, ill-arranged, disgusting farrago of unintelligible nonsense! To draw this contrast was to repeat Hamlet's dialogue with his mother—" Look upon this picture and on this." Then in actions it was quite a common thing to have a verdict for 3*l.* and 28*l.* costs. The damages might be 5*l.* or even one shilling, and the attorney's bill 50*l.*, or perhaps 150*l.*; so that a poor man could not recover a small sum without absolute ruin. He had been informed that there were two cases in one of the courts of equity, where the costs had been 16,000*l.* In an election case he had, before he was a member of the House of Commons, supported one of the candidates, and there was a petition, and it became necessary to compare the freeholders' book and the poll books, and this they contrived to do in one night by a proper arrangement, and proceeding in the method which he was about to recommend. The motion was, that they should appoint an assessor, who, with from twenty or thirty clerks, should proceed to arrange the several enactments of the statute-book under their proper heads, reading backwards, because some of the old statutes might appear to be repealed. A respectable member of the other house, Mr. Wilberforce, had lately informed him, that a similar plan had once been in his contemplation, and that Mr. Bearcroft was to have carried it into execution: but that failed. He should propose, that Mr. Thompson, the master in chancery, and Mr. Watson, who usually attended the House, should be appointed to execute the plan now. The matter would thus be accomplished without much expense, and the utility would be immense. It was of the last importance to reduce, under clear and distinct heads, the laws relative to the excise, to the customs, to stamps, and to elections. At elections, in some towns, the voters, after being paid a certain sum for their votes, perjured themselves amidst scenes of drunkenness and riot. These laws certainly required revision. He recollected a bill having been brought in respecting glovers, and a clause had been inserted by which persons were to be prevented from exercising the trade who had sold French gloves, or done some illegal act with respect to the sale of gloves within a limited time before: Mr. Johnstone said it was a clause to ruin one half of the glovers, and damn the other half, and the clause was very properly rejected. The law merchant, too, being distinct from the common law, the statutes respecting it ought to be separately arranged. His motion was, that it should be referred to a committee of the whole House to consider of the most proper plan for arranging the different parts of the statute-book under their proper heads. When this should be done, then each of the heads might be taken separately into consideration, and a bill brought in to reduce each of the separate heads into one act. It had been said, that an honest man was the noblest work of God, and a well-arranged statute-book was certainly the noblest work of man. At present, the statute-book was a perfect hotchpot—a chaos of darkness, disorder, and confusion, like that which prevailed before the creation. The noble and learned lord on the woolsack himself had, as he was informed by the newspapers, called for the production of certain acts in the court of chancery, and none could point them out. A sort of compilation was produced; but that would not do. It had been said, that the law of England was open to all: and it had been admirably answered, that so was the London tavern. It was clear that the law was in a state which required revision and amendment; and if he was zealous for that object, it was only with a view to the public good. He concluded by moving, "that the House do resolve itself into a Committee of the whole House, to consider of the best means of arranging the statute law of this country, under distinct and proper heads."

The *Lord Chancellor* was willing that the matter should be referred to a committee, to see to what extent the noble earl's idea could be usefully acted upon; but he had no sort of hope that the matter could be carried to the extent to which the noble earl appeared to look. Some good might, however, be done. In the case to which the noble lord had alluded they had been in the habit of construing statutes in *pari materia* by each other, and he had requested to see the whole statutes relative to the matter together; but he had been very much misrepresented, if he had been stated as having said that the compilation or collection offered would not do, because it was not exactly what was wanted. There were already a number of books in which the noble lord's idea had been carried into execution. A book on the bankrupt laws, for instance, contained all the statutes on that subject, and so of others. Still some good might, however, be done by the proposed investigation.

Earl *Stanhope* expressed great pleasure at hearing this avowal, and made an allusion to the unsettled data which sometimes marked the proceedings in the Court of Chancery. This, he was persuaded, would have made the learned lord on the woolsack an advocate for his motion. The noble earl then adverted to a late case in the court of chancery relative to the legacy stamp duties, in illustration of his argument.

The *Lord Chancellor* explained the nature of the case alluded to, and with reference to the practical effect of the present motion, suggested its being referred to a select committee, as the more effective plan, and moved an amendment to that purport.

Earl *Stanhope* felt convinced that in the end a select committee would be essential. But the novelty and importance of the case, he thought, in the first instance, called for a committee of the whole House.

Lord *Holland* was of opinion with his noble friend, that it would be preferable to go into a committee of the whole

House in the first instance, in which the order for a select committee would be best made. He also suggested the propriety of their lordships communicating, in some way, with the other House, as to the object of that motion.

The lord chancellor moved an amendment to the motion, purporting that the matter should be referred to the consideration of a select committee. This amendment was adopted by the House, and it was ordered, that all the lords present this session be of the committee.

HOUSE OF COMMONS.

Friday, May 3.

Mr. *Manning* complained of an inaccuracy which he had noticed in one of the daily papers in the few remarks he had made the other night on the question of the bank restriction. He considered it of some importance to correct such an error, which might otherwise go out to the public unnoticed. What he was made to say in one of the daily papers was, that " there was not a bank director who was not anxious to resume cash payments as soon as possible, while, at the same time, they were all grateful for the present bill, as it allowed them two years for doing so, within less than which time it could not with certainty take place." He denied having made such a statement; but what he had asserted was, " that the measure ought not to be considered as one applying only to the bank of England, but as a measure in which the general interests of the empire were concerned." This was what he had on that occasion stated, and he disowned having made any declaration that the directors of the bank were thankful for the present bill.

PROPERTY TAX.] Mr. *Brougham*, seeing the chancellor of the exchequer in his place, wished to submit a motion to the House for the production of certain papers; and, when the subject of them was known, he was convinced there would be no objection to their being laid before the House with the least possible delay. He alluded to certain circular letters issued under the authority of the treasury to the surveyors of the different districts, calling upon them to transmit full and particular copies of all the assessments to the income tax. The dates of these letters were in March, May, and August, 1815, and called upon the surveyors for copies of the assessment under the tax for the year 1815. For what purpose these accurate copies of the assessment were required, it was now immaterial to ascertain; but he believed no one could doubt but that they were intended for no other purpose than for the better enforcement of the tax. Under these circumstances, it was very natural to suppose, that with the tax the application for these assessments would expire also: but the fact was not so, for he had understood, from very good authority, that on the 17th of April, 1816, about a month after the vote of the House had put an end to the very name of the property-tax, as it was hoped, letters were issued from the treasury, calling upon these surveyors of taxes for full and complete copies of the assessment of every man's income. Now, if such were really the fact, he should wish to know what could be the object of making this inquiry into the affairs of every man, after the act had expired? It was to him, he confessed, a perfect mystery. To gratify what curiosity, in what quarter, for what purpose, was this full and complete copy of the assessment of every man's income—for those were the words of the letters—to be given? Clerks were employed to make out copies of these assessments, and the returns made to London were ordered to be kept in neat books, which were accessible, not merely to the commissioners of taxes, but to every little petty clerk in the office. With the hope, therefore, of hearing from the right hon. gentleman opposite that no such orders were issued, or at least, if issued, without the authority or knowledge of the treasury, he should conclude with moving, " That there be laid before the House copies of a Circular Letter in March, May, and August, 1815, from the tax-office to the surveyors of the different districts, respecting the transmission to the board, of copies of all assessments to the income tax, and of all letters on the same subject in April, 1816."

The *Chancellor of the Exchequer* had no objection to the production of the papers called for by the motion. Such a circular as the hon. and learned gentleman had described had certainly been issued by the board of taxes in the discharge of their duty. No new orders had been issued on the subject; but it was obvious, if some step of this kind had not been taken, many irregularities must have occurred in the collection of arrears, Mr. *Brougham* observed, that such could not be the object of the returns, for it was mentioned in the circulars sent to the collectors, that the returns should be made out with neatness and accuracy, as they were to be kept as records in the tax-office. To such records being kept he had a most strong objection, as they would give an unfair exposure of the private circumstances of individuals who paid the tax. He thought it unjust to have such documents to refer to, in order to see what such and such a man was worth at any particular time, and he should soon take an opportunity of moving, that directions be given to the board of taxes, in order that they may take steps for the destruction of all such records.

The *Chancellor of the Exchequer* replied, that he should, when the return was made, be prepared to meet any motion the hon. and learned gentleman might think proper to make.

Mr. *Baring* deprecated this system of preserving the records of the assessment of the property of individuals, as being a remnant of that inquisitorial measure which the sense of the country had destroyed.

The motion was agreed to.

Lord Castlereagh gave notice that on Monday he would move a congratulatory address to his royal highness the Prince Regent on the marriage of the Princess Charlotte.

Mr. Wynn thought that on such an occasion the earliest day possible should be taken for the Address [Cries of 'Move, move!'].

Civil List Bill.] The order of the day being read, for taking into consideration the report which, upon the 16th of June 1815, was made from the select committee appointed to take into consideration the Account presented to the House upon the 20th of March, 1815, by Mr. Arbuthnot (by command of his royal highness the Prince Regent) relating to his majesty's Civil List,

Lord *Castlereagh* rose, in pursuance of the notice which he had given on a former evening to move for leave to bring in a bill for the better regulation of his majesty's civil list. The consideration of this question was, he said, attended with much embarrassment, from its very complicated nature, which was such that it was hardly possible to make a statement respecting it, so clear and so free from all difficulties, as to enable gentlemen, who had not given their minds to the subject more attentively than most of the hon. members of that House could do, to see all its combinations, and all the inferences growing out of it. It was a question also of great delicacy, as it went to expose the immediate expenses of the sovereign, and the expenses of the Crown were naturally looked upon with more jealousy in this country than any other. In making this assertion he did not mean to say that there was not as much generosity in this country as in any other; but, in this, as in all free governments, and in this as the freest of all more than in any other, an excess on this head was viewed with a suspicious eye; and that which came immediately home to the sovereign, was uniformly a matter of anxious and national inquiry. He felt likewise much pain in entering on this question, as there was no subject on which more misrepresentation had gone abroad; because a notion existed that the civil list expenditure had no connexion with the public service, but solely related to the sovereign. He wished to place the question on fair grounds—he did not pretend to deny that a considerable portion of the sums granted for the civil list were to meet the necessary expenses of royalty; but for the greater part of them, it was as completely a national expenditure for the service of the country, as the grants annually made for the army and navy, and every other department of the public service. He was anxious that the proposition should be fairly understood, and that it should be seen in a proper light. It was therefore his intention for the present to throw out of his consideration the provision made on the civil list for the junior branches of the royal family, as he should have to speak on that subject hereafter. This he proposed to deduct from the expenditure of the civil list in the estimate which he should submit to them, as also that incurred for the Windsor establishment. The expense last adverted to, the House must be aware, arose from the calamity that had fallen on the country, by which it found itself with a king unable to discharge the functions of sovereignty, but for whom it must, notwithstanding, keep up a suitable establishment. If the expenses thus thrown on the country were included in the estimate, its amount would be 1,339,000*l.*, and out of this sum only 409,000*l.* could be brought home to the sovereign to support his public splendour, or to meet the charge of his domestic enjoyments; and in this sum 60,000*l.* was comprehended, which appeared in the first class of the civil list for the privy purse, as also the additional 10,000*l.* granted to her majesty, when it became necessary to form that establishment of which he had just spoken. The whole amount, including every thing, of the expense that could fairly be charged to the sovereign did not exceed 409,000*l.*, which, it would be seen, did not equal one-third of the whole of the civil list.

Having stated this, it would now be proper that the House should look at the debts of the civil list, and here it would be seen, that though some had originated in the personal expenses of the King, yet, that the great mass of them were not incurred by the sovereign, but arose out of the service of the country. One broad fact would serve to establish this, and to show how large the expenditure on the civil list for the public service was in some years when compared with what it was in others. In the estimates from 1804 to 1811, the average charge for foreign ministers did not exceed 200,000*l.* per annum. This was so low, in consequence of our being in those years almost entirely cut off from continental connexion; but now, from the changes in our political relations, there was an augmentation of not less than 150,000*l.* on this branch alone of the civil list. Of course this proceeded from the circumstance of our being at present in connexion with every part of the continent, instead of being in that situation to which he had just adverted. He, therefore, again asserted, that the accumulation of debt on the civil list, which had so often been animadverted upon, was occasioned, not by the excesses of the household department, but by the increased charges on those branches of it which were connected with the public expenditure of the country. He wished the House to take the charges of the fourth and fifth classes of the civil list into their consideration; to look at the provision made for the sovereign, including the junior branches of the royal family, and the present Windsor establishment. He wished them to do this, and then look at his estimates, and compare them with the burthens thrown on other countries for the maintenance of their respective royal families. If, for instance, they looked at France, they would find a sum of 24,000,000 of livres, about one million sterling, was set apart for the royal family. Of this sum no part was applicable to the public service, as well as to the royal expenditure; but it was distinctly appropriated to the royal family alone; and this sum was that which might fairly be compared with the 409,000*l.* of which he had spoken, and which were applied to the same purpose in this country. The junior branches of the French royal family were excluded from all participation in the 24,000,000 of livres; and they received largesses and other allowances from the country. There was another point of view in which this subject ought to be contemplated. It was necessary that it should be separated from those unfair imputations, almost amounting to calumny, which had been spread abroad on the subject of the increased expenses of royalty. It was painful to bring these under the notice of the House; but certainly it had been argued, as if there was something wrong in the administration of the civil list, merely from this fact, that it had been impossible to confine its expenditure within those limits within which the Crown had undertaken that it should be bounded. Surely it was unnecessary for him to say, that if the income of a private individual, or of a sovereign, had been fixed at a given sum fifty years ago, from the alterations which had taken place in the general condition of things it was impossible for either the one or the other to sustain his establishment as formerly without some assistance. To expect this would be absurd; as it would be to require an absolute impossibility. While on this subject, it ought always to be borne in mind, that from feelings of economy his majesty, in the early part of his reign, had consented that his civil list expenditure should be regulated on a principle different from that which had formerly been acted upon; and had accepted of a fixed revenue, in lieu of those improvable funds which had formerly been appropriated to the Crown. Had not this change been made, and had the King conducted the service of the civil list throughout the whole of his reign with those funds which had been provided for other sovereigns, and especially for his immediate predecessor, instead of coming to that House to ask them to discharge his debts, he would have been able to have avoided the necessity of such an appeal during the fifty six years of his reign, and not only would he have been able to avoid coming to parliament for the discharge of his debts, but there would have remained to him a surplus of 6,300,000*l.* In making this statement he took into the account the charges which would have fallen on the Crown had it made all those provisions for all the numerous branches of the royal family which had been made by parliament, and also all those charges which had been taken from the civil list and carried to the consolidated fund. Taking all these into the account, the Crown would have been able to meet them all out of those funds which it had formerly possessed, and which had been granted by parliament to king George 2nd. From this it would be seen that the public had gained by the arrangement which had been made with his majesty no less a sum than 6,300,000*l.* in the course of the present reign. The funds which in the reign of George 2nd, had been given to the civil list, were to be made good by parliament, if their produce fell short of 800,000*l.*; but should it exceed that amount, the surplus was to be given to the civil list, and was not to be considered applicable to the public service of the country; and thus a fructifying revenue had been put into the hands of the king. He stated this as a strong fact—not to lull the jealousy of the House on the subject of the civil list expenditure, nor to induce them to undervalue that economy which ought to regulate all their proceedings at a period like the present, but to dispel those clouds of misrepresentation and calumny which had been accumulated on the subject. He wished it to be known that the arrangement to which he had referred had proved most advantageous to the public, and that the increased charges which had accrued on various points of the civil list were unavoidable, and had absolutely arisen *ex necessitate rei.* This he thought it proper to state, that those who attempted to raise an outcry against the supposed extravagancies of royalty might be told, that a very small portion of the debts which had accumulated on the civil list originated in the immediate expenses of the sovereign.

Under these circumstances he proposed to move for leave to bring in a bill for the better regulation of the civil list, and in doing this, while opening the subject, he should divide it into three heads. In the first place he should take a retrospective view of the civil list expenditure for a series of years, and this he should compare with a view of its revenues. Under the second head he proposed to submit to the House the best prospective view he was able to afford of the probable future expenditure of the civil list, and to ascertain how far the funds appropriated to it were inadequate to the service for which they had been assigned, and how additional funds could be raised in a way most consistent with public economy. It was proper that he should here observe, that in all the reports which had been made on the subject of the civil list from the year 1802, it had been admitted, that the revenue was incompetent to meet the expenditure, and that a period must arrive when parliament should take the whole question into consideration, in order to decide what steps it would be expedient to adopt, and how the deficiency could best be supplied. The period at which this inquiry should take place had been postponed to the termination of the war. It was deemed desirable that it should be discussed in peace rather than during the war, because it was thought so long as the war continued, extraordinary aids, such as droits, &c. would be derived from it to the Crown, which might make any new regulation for the time being unnecessary. It was on this principle that the delay in settling the civil list had occurred, though it had been well known for the last twelve years that some such arrangement was wanting. When, however, peace had arrived, the casual aids which had accrued to the Crown, of course, fell in, and it became necessary to equalize the revenue and the expenditure of the civil list. The third and last head on which he should speak, would be the prospective regulations which would be necessary for upholding the proper splendor of the Crown, which ought not to be reduced below that scale on which it had hitherto been maintained by the country, and which was consistent with the principles of the constitution, while, at the same time, all due regard ought to be had to economy, and every effort made to prevent as much waste as possible, in order to avoid a recurrence to parliament for further assistance. His object was, in short, to fix the expenditure of the civil list on such a footing, with respect to its income, as should offer to parliament the prospect of establishing it for a very extended period, on such a basis, that no further appeal to their liberality should be rendered necessary.

He should now proceed, in the first place, to take a retrospective view of the expenditure of the civil list. He wished to state what the expenditure had been for a number of years, right or wrong, and what had been the income set apart to meet it.

	£.
The average expenditure of the seven years, up to 1811 inclusive, had amounted to	1,103,000
That of the year 1812 was	1,374,000
Of 1813	1,316,000
Of 1814	1,361,000
Of 1815	1,436,000
And the year ending 5th Jan. 1816	1,480,000

During this period the revenues of the civil list, as he had already stated, were unequal to satisfy the demands they were intended to meet. In the seven years up to 1811, their average amount, under the settlement of 1804, was 995,000*l.* Since that period, from various circumstances, they had been swelled to 1,060,000*l.* It would be seen that the revenue, in the course of the seven years, had fallen short by about 1,000,000*l.*; and since that period the deficiency had considerably increased. On the face of this statement it would appear that there was a tendency in the settlement which had been made of the civil list to create debt. If the House looked to the reports of all the committees which had been appointed to inquire into this subject, it would be found, that every one of them had uniformly pronounced that the estimate of 1804 had been completely inadequate to its object, and was not in fact borne out either by those circumstances which had preceded, or by those which followed it. On all hands, the insufficiency of the civil list income had been allowed, and the augmentation of it had only been delayed on account of those casual aids derived from the war, of which he had already spoken. The gross amount of the debt which had accrued on the civil list since 1804, was 2,500,000*l.* The liberality of parliament had granted in discharge of that sum 762,000*l.* An advance made by the Crown from its West Indian revenues, and from the surplus of the Scotch civil list, to the amount of 1,738,000*l.* had still further reduced the debt. During the same period, it was to be recollected that the Crown out of the same funds (in the year 1807, he believed), had advanced the sum of 1,000,000*l.* for the service of the public, to meet the supplies of the year. If, instead of doing that, the Crown had applied this sum of one million to the discharge of the debt on the civil list, so far from having occasion to apply to parliament for assistance, that sum would have more than covered the whole of the remaining debt, and would have effectually prevented the inconvenient pressure which it had experienced. But it was not merely this sum of 1,000,000*l.* which had been advanced in 1807, that had been furnished for the public service, by the liberal consideration of the Crown—in the course of the war the sum of 2,800,000*l.* had been thus appropriated. These facts would go to prove, that if the Crown had been in possession of its former revenues, it would not have had occasion to approach parliament for any assistance. He wished the House to be aware, that if there had been a frequent recurrence to parliament, it arose from the misfortunes, not from the faults of the Crown; nay, he might say they grew out of its merit, in taking at a former period, a fixed income in lieu of the funds appropriated to it, which fixed income had proved inadequate to meet the charges thrown upon it. He had described the situation in which the civil list, down to the period at which the last report on this subject had been made, and from this it would be seen that a subsequent accumulation of debt was inevitable. Down to the 5th of last January, this situation of things had continued, and the debt incurred at that period amounted to 277,627*l.* This, however, had been discharged by a further advance out of the admiralty droits, as he showed from official documents, and he had no occasion to call on the House to make any provision for the liquidation of that debt which had existed at the period last mentioned. The noble lord then briefly recapitulated the substance of the statement which he had made—he re-stated what had been the average expenditure, and what the average revenue of the civil list in the seven years ending in 1811; he showed what had been the charges on it and the means of meeting them, in the years 1812, 1813, 1814, 1815, and 1816, and having anew described the former means of the Crown, and the recent burthens of the civil list, he proved that had the sovereign continued to possess the revenues which were formerly his, he could have met the whole of the demands referred to even on their late extended scale.

He now came to the second head, on which he proposed to offer some observations to the House; and in doing this, it would be his object to show, as nearly as he was able, what was likely to be the charge of the civil list prospectively, as far as a judgment could be formed upon it by those most conversant with the subject. Gentlemen were aware that an estimate had been framed on the best views that could then be taken of the question in the course of last year. That estimate had certainly been framed with reference to a period of war, and also in contemplation of the existing prices of the various commodities of necessary consumption. But though those were much greater than the prices of the present day, he did not think it fair to reckon on the continuance of the latter. It had however been thought proper that the subject should be re-examined, in order to ascertain what reduction could be effected. The amount of the estimate made last year was 1,478,682*l.* The gentlemen charged with the duty of making those inquiries, had included some services which it had not been thought advisable to retain in the present estimate, which was in consequence considerably below the former. That which he had now to propose amounted to 1,339,495*l.* This, compared with the estimate he had just mentioned of last year, presented a reduction of 139,000*l.* It was right that he should observe, that a double expense was in some instances incurred, from the situation in which the country stood with respect to the indisposition of his majesty. So long as the king remained in this unfortunate predicament, some additional services must necessarily be charged, which, under other circumstances, would not swell the civil list. Looking fairly at the subject, he considered the expenditure thence arising ought not to be deemed as that which would attach to the civil list in ordinary times. While we continued to have both a king *de facto* and a king *de jure*, this double expense was inevitable. The 100,000*l.*, therefore, which was thus thrown on the civil list, ought to be deducted from it prospectively, as also the 60,000*l.* for the privy purse; and with these the additional 10,000*l.* granted to her majesty in consequence of the situation of things at Windsor. Might not, then, the 170,000*l.* which had been granted by parliament in 1812 for the services last enumerated, and which Mr. Perceval had brought forward for the sanction of the House, be fairly taken from the permanent charge which his estimate would bring on the country? He therefore did not consider this estimate to be more than the fair mean between the charges which had been incurred on the civil list in the years to which he had referred. Deducting the 170,000*l.* for the Windsor establishment, the privy purse, and the allowance to her majesty from the 1,339,495*l.* which was the amount of his present estimate, it would be reduced to 1,169,495*l.* This as the medium between the charges that had occurred on the estimates of 1804 and 1811 was that to which he thought no objection could be made, and those estimates were the criterion by which he would wish it to be judged.

He then came to the question as to the proper mode of meeting the future expenditure of the civil list on the estimate which he had described. Parliament, he contended, had contemplated the necessity of augmenting the revenues of the civil list, not merely in the reports of its committees, which the right hon. gentleman opposite, and others, might maintain were not binding until they had been adopted by the House; but he thought an augmentation had been countenanced, if a direct sanction could not be proved to have been given by the House collectively; he meant in that law relating to the civil list which parliament had enacted, and which provided that whenever the expenditure should exceed the estimate of 1804 by 124,000*l.*, or, what was the same thing, the estimate of 1811 by 10,000*l.*, the subject was then to be brought before the House, in order that they might consider what steps it would, in consequence, be proper to adopt. He had already stated the average expense of the civil list from 1804 to 1811, to amount to 1,103,000*l.*; the difference between which and that which he took prospectively as the average of 1,168,000*l.*, gave an addition of 65,000*l.*; being the increase which he now called for. If, then, an increase of 65,000*l.* over what had been the average expenditure up to 1811, was all that was demanded, he did not think the House would be surprised at the magnitude of the charge, when so many new expenses had been thrown on the civil list. At present he must however unite with his estimate the charge for the Windsor establishment, and the other expenses to be supported by the civil list; which brought it up to the sum he had before mentioned of 1,339,495*l.* The income of the civil list (taking the exchequer fees at 48,000*l.*, and the Scotch fees 10,000*l.*), would amount to 1,088,000*l.* This revenue, compared with the prospective estimate of 1,339,495*l.* left a deficit of 251,000*l.* But from this 170,000*l.* as he had before stated, ought in fairness to be deducted as growing out of those circumstances, consequent on the malady of his majesty.

He should now submit to the House the consideration of the best way in which this deficiency of 251,000*l.* could be supplied. It appeared to him there were two modes in which this object might be accomplished—by voting an addition to the revenues of the civil list, or by withdrawing from it certain charges which would relieve it to that extent. He was very strongly disposed to recommend the adoption of the latter course. He did not wish to augment the revenues of the civil list, and he should therefore propose, that it should be relieved from burthens to the amount he had already mentioned, so as to leave it only liable to those which its income was sufficient to support. The House would feel all the embarrassment which must arise from leaving on the civil list charges for public services which could not, from their nature, be fixed, and of which a correct estimate could rarely be framed. The income assigned to the civil list thus circumstanced, must be enormously too large at one time, and totally inadequate to the demands made upon it at another. He therefore thought the House would concur with him in the propriety of withdrawing from the civil list those charges which were most uncertain in their extent, and which were most liable to fluctuation; for it must be evident that great inconvenience necessarily resulted from such a variation in the expense of any one branch of the public service as had occurred in that department with which he had the honour to be connected, and in which an increase of 150,000*l.*, or even 200,000*l.* might occur in the course of a single year. He should now state from what classes of the civil list he proposed to make deductions. In the first place, he proposed to take from the expense of the civil list the sum of 30,500*l.* which he should carry to the consolidated fund, and which formed part of the provisions made by parliament for the junior branches of the royal family. This would in every respect be a desirable arrangement, as some inconvenience and confusion would be avoided in paying the whole of these allowances out of the consolidated fund. Last year it had been in contemplation to take from the civil list the 100,000*l.* now charged on it for the Windsor establishment; but a saving having occurred under this head the idea had been abandoned; and the plan which he had now suggested, would, he thought, be preferred. This adopted, it would be seen that on the demise of any of those illustrious personages their income would fall into the consolidated fund, and not into the civil list; and should a demise of the Crown take place, the whole arrangement would again come under the consideration of parliament. He next proposed to relieve the civil list by lightening it of some of the charges of the fourth class, under the head of the lord Chamberlain's department, which were extremely fluctuating, and not capable of being tied down by any fixed estimate. He recommended that 10,000*l.* charged for the board of works, which from the nature of the repairs for various public buildings which occasionally became necessary, frequently caused the estimate to be greatly exceeded. He wished also to take 15,000*l.* allowed for plate to foreign ambassadors. Both these charges it would be seen were necessarily fluctuating in their nature, and were, therefore, better detached from the civil list, and submitted separately to the arrangement with respect to them which the House might think proper to adopt. From the seventh class he would withdraw part of the salaries and allowances to certain officers and persons amounting to 3,268*l.* He would next propose to take from it that extremely fluctuating charge which came under the head of occasional payments. On this item he should gain 197,000*l.*, which he would take instead of the sum of 278,000*l.*, for the charge incurred under the head of occasional payments had been estimated last year at 278,000*l.* This calculation had been founded on the average of the preceding two years and three-quarters; but that having been a period of war, now that we were at peace, a reduction might be expected, and he would therefore take it at the sum he had mentioned. The whole of the sums which he had detailed, amounted to 255,768*l.* He had stated 251,000*l.* to be the sum from which he wished to relieve the civil list. Gaining the 255,768*l.* which he had just mentioned, the charge of 1,339,495*l.*, which was the amount of his estimate, would be reduced to 1,083,000*l.* The income of the civil list he had stated to be 1,088,727*l.*, and there was therefore a surplus of between 4 and 5,000*l.* In the third class, under the head of foreign ministers, he proposed to effect a saving of 16,400*l.*; and a further saving of 10,000*l.* on account of consuls. By the arrangement which he should recommend for the foreign ministers, they would be protected from that inequality of income of which they had now frequent reason to complain, and while furnished with ample means for the discharge of their public functions, they would no longer be menaced by that private ruin to which their fortunes had been heretofore exposed. Within the last year inquiries had been instituted to ascertain the amount of the fees received by the British consuls at the various ports at which they were stationed. The result of the investigation led him to entertain a hope that, under this head a saving of 10,000*l.* might be effected, making, with the 16,400*l.* withdrawn from the foreign ministers, a total of 26,400*l.*

He now came to the savings in the branches more immediately connected with the household; and here he must declare, that he had no wish to popularise his majesty's ministers, by making a meagre provision for the civil list that would not be found adequate to carrying it through in future years. The estimate of the fourth class of expenses, which last year was 254,000*l.* would this year be 234,000*l.* being a reduction of 20,000*l.* This saving was independent of the 22,000*l.* for the princess Charlotte, and would be effected in the lord steward's department, the lord chamberlain's, and the master of the horse. In the lord chamberlain's department for the board of works, he should propose 40,000*l.*, and 10,000*l.* for casual labour. The expense of the lord chamberlain's department was heretofore 85,000*l.* The department of the master of the horse had been 45,000*l.* last year, exclusive of 10,000*l.* for the princess Charlotte. Instead of this, he should take 40,000*l.*, and thus the whole amount of the 4th class of expenses, instead of 254,000*l.* would be 234,000*l.* He should wish to compare this with the expense of the 4th class, for the seven years up to 1811; during which, the expense of that class would be found to have amounted to 259,000*l.* per annum, and for the two years up to 1816 to 270,000*l.*; and though it would now be only 234,000*l.*, he felt he owed some explanation to the House, lest any suspicion should arise on the subject. The grounds on which he thought the service of that class might be performed for that sum were, first, the fall in prices; (though in regard to them, a mean must be taken, as it would be equally erroneous to make the highest or the lowest the standard of his calculation); secondly, the expenditure of the princess Charlotte was withdrawn from this class; but it was not till last year that her expenses had been made the subject of a separate charge; latterly, too, there had been a saving in the furnishing of the apartments of the junior branches of the royal family. Another and more adequate ground was, that a considerable sum had been laid out in the equipment of the royal household, for plate, furniture, and other articles, which was an expense that would not recur. Then, what he greatly calculated on was, the relief from uncertain expenses, which had formerly so much disturbed the economy of different departments. On these grounds he did hope, that, in recommending an estimate 20,000*l.* less than the former, he was not in any way misleading the House, but presenting a fair and deliberate calculation. He must here add, that some of the departments had been relieved from issues in kind, which had been committed for pecuniary allowances.

He should now refer to the fifth branch which comprehended all the other expense of the sovereign's establishments, except the privy purse. In this branch there had been in the late years an increase, compared with the year 1811; and in the last year there had been an increase of 2,400*l.* on account of some compensations made to the officers of the household, especially to the royal footmen, who had received in money a commutation for their fees in consequence of an Address from that House. Of this class the expense had increased from 137,000*l.* to 140,000*l.* Joining these two classes together, which comprehended the whole of the household expenditure, their average expense in the seven years ending in 1811, would be found to amount to 378,000*l.* The estimate of the last year to 392,000*l.* The estimate of the present year only 370,000*l.* Thus the prospective expense of the whole household was 8,000*l.* a year less than it had been in the seven years up to 1811, which were the last years of his majesty's expenditure. It was also to be recollected, that out of the calamity of Windsor, had arisen an additional expenditure. Because it was not to be expected that his Royal Highness, when he assumed the exercise of the royal authority, should turn away all his own domestics, or that the menial servants of his majesty should be dismissed without some compensation. The old and faithful servants of his majesty, who were no longer required at Windsor, were provided for by a scale of allowances, which had given rise to the additional expense of this part of the civil list. This would serve to repel the calumnies which had too often been thrown out by the enemies of royalty, that there had been any lavish or criminal expenditure. The right hon. gentleman (Mr. Tierney) with whom he had had some discussion on this subject, would allow, even though he should disapprove of the exact amount of the royal expenditure, that the increase under this head was but as a drop of water, compared with the other branches of public service which were charged upon the civil list. Both sides of the House would agree that the splendor of the throne should not be reduced, while it was desirable that the income applied to that purpose should be well administered. He hoped, therefore, that there would, at the end of this discussion, be less difference of opinion than there had been in the preliminary and interlocutory debates; and that the subject being purged of the calumnies which had obscured it, the House might arrive at a satisfactory decision. It was a painful situation for the monarch of this country, who felt necessarily anxious to preserve the good opinion of the people, to be obliged to apply to parliament for grants on account of expenses which were vulgarly deemed personal. He should here give an explanation, which had been on a former occasion required by the right hon. gentleman as to the reason why the estimate of the lord chamberlain's department, in which, during the quarter ending January last, there had been an excess, had not, according to law, been laid before the House. During that quarter, there had been in progress an expenditure at Brighton, occasioned by the establishment of his Royal Highness's household at that place, respecting which there had arisen a difficulty. It arose from this, that Brighton was not a royal palace, but the private property of the Prince Regent; however, it was a royal residence; the lord steward's department was extended to that place, and in a more limited degree in the lord chamberlain's department, there was an expense connected with it for furniture sent there. It was therefore referred to the treasury, to consider whether that expense should be charged to the account of the household. On the whole, the treasury was of opinion that it should not be charged upon the civil list, but should be defrayed from the droits of admiralty. He should lay before the House the minute of the treasury, explaining that transaction, and also an account of the droits, and he hoped, when they considered the difficulty that operated on the mind of the lord chamberlain, and the advice given by the treasury, the papers would prove satisfactory.

He should now recur to the third class, which included the expenses of that office over which he had the honour to preside —the foreign department. The total amount for this department in the present estimate was 226,950*l.*, which was a saving of about 26,000*l.* compared with the amount of last year's expenditure. It was necessary for him to state, that the estimate this year was framed with a view to the extent of our foreign relations, which was never greater than at present. It might therefore in the course of events (however improbable at present) happen, that our foreign connexions might become less extensive. If, by any circumstances, our continental relations should be narrowed, then of course, a saving would take place in this branch. In contemplation of the possibility of such an event, it was his intention to introduce into the Bill which he proposed to bring into the House, a clause providing that in case a saving should take place upon this branch, the sum so saved should be applied to increase the surplus of the consolidated fund. With respect to the fifth class of expense, there had been an arrangement made, which could not have been proposed without the express desire and sanction of the Prince Regent. As this class comprehended the salaries of offices and the expense occasioned by the creation of new appointments, it was that to which the jealousy of parliament might be especially pointed. Under this head, his royal highness had directed that not more than a certain sum of new expense should be added yearly till the increased expense was reduced to that at which it was supposed it could be permanently carried on. The yearly sum above which no new expense was to be added to it, was 500*l.*; and this restriction would continue till the 140,000*l.* to which it had been raised on account of the allowances to the King's servants was reduced to 125,000*l.* It was also in contemplation (while some new offices had unavoidably grown up) to lay aside all that it was possible to dispense with, in order to cover any expenses which might be thought advisable.

The next head under which a very great change would be made for the better, was in the class of Occasional Payments. They had all hitherto been defrayed out of the civil list, and the nature of these expenses never came into view. They had of late risen very high on account of the expense of foreign missions. In the last year this class had risen to 340,684*l.*, and in the year before it had been 320,000*l.* This sum, however large it appeared, had rather fallen short of than exceeded the expense under this head in the years 1801, 2, and 3, in one of which years it had risen to 374,000*l.* and in another was 366,000*l.* He proposed for the future that this branch of expense should not be defrayed out of the civil list, but should be brought yearly under the vigilance of parliament. He should submit a vote of a competent sum for these payments beforehand, and if this sum was exceeded, it would be necessary to justify the accounts before the House, and show how the excess had been incurred. This would give the House a most potent hold on that expenditure, which, above all others, afforded a latitude to the discretion of the Crown.

The next head of the arrangements of the bill which he had to propose related to the auditing the civil list accounts. The House would see the essential necessity and fundamental wisdom of bringing this expenditure under some direct control. To this end it was necessary to propose the creation of a new officer, who should act as the representative of the treasury in the superintendance of this expenditure. He did not wish to shake the authority of the heads of the several departments, for all that shook that authority also weakened their responsibility. This officer would have the means of observing any expenditure while it was going on, and making representations to the treasury on the subject of any thing which appeared like extravagance. It was evident, that unless the audit of accounts, preceded or closely followed payment, so as to check the breach of regulations, they were of little use. The audits at present were defective as to the quarter in which they were placed, and as to time. In the lord steward's department, the head of that department audited and passed the accounts. In the departments of the chamberlain and the master of the horse, the accounts were audited before the commissioners of public accounts, but by reason of the mass of business with which those commissioners were overwhelmed, the last civil list account which had passed them was that for 1810 or 1811, and that for 1812 had been but now sent in. This system was most defective, and introduced a laxity and delay in making up the accounts. The officer whom he proposed to appoint would have all facilities of communicating with the different departments, and of calling the officers before him, and inspecting the accounts. This would throw on the treasury a responsibility which could not now be supposed to rest on it. This arrangement would not interfere with the comforts or dignity of the sovereign, to which it was necessary, that the sum appropriated to provide for them, should be well administered.

This was a general description of his plan; which, he hoped, would be found consistent with that liberality that was due to the Crown, and with that economy which was called for by the country. By granting to the Crown a proper fund, unconnected with those expenses that ought not, in justice, to be charged on it, they would put this difficult and interesting subject on as satisfactory a footing as its nature would admit. The secretary of state for the foreign department would, under the new arrangement, be placed in a more arduous situation than he ever before stood in. His responsibility would be greatly increased, when, year after year, he would be obliged to justify to the House the necessity of the different expenses in his department—which were of a description that gentlemen looked on with a more jealous eye than almost any other.—The Crown had been most unfairly, unjustly, and, unfortunately for the country (for any odium cast on the head of the government must be injurious to the country), been accused of profusion and extravagance. From this charge it was his duty to rescue the sovereign, and he hoped he had succeeded. In the bill which he was about to move for leave to bring in, there were two or three clauses, which, as they went to alter the present system, as supported by act of parliament, it would be necessary, in the first instance, to submit to a committee. He therefore meant to print the bill, without these clauses, which should also be printed, in a separate shape, and thus gentlemen would be enabled to judge accurately of the nature of the measure. There would also be placed in the hands of gentlemen the documents necessary for a just understanding of the question. The first was, "An account showing the total amount of the proceeds received from the droits of the Crown and admiralty since the 1st of January 1814 to the latest period to which the same can be made up; together with an account of the sums paid out of the droits since the same date; specifying by whom received, and on what account." The second was, "An estimate of the probable future annual charge upon the civil list, and also a statement of the amount of charge from which it is proposed to relieve each class of the civil list, comparing the same with the estimate presented in the last session of parliament." The last paper was "A copy of the treasury minute, dated 23d February 1816." The noble lord then concluded with moving, "That leave be given to bring in a bill for the better regulation of the civil list."

Mr. *Tierney* expressed his determination, notwithstanding the measure introduced by the noble lord, to redeem the pledge he had given to the House, on the subject of the civil list. He should at present say little on the subject, as the question would, on Monday, be fully discussed. He would not then offer any objection to the bill, but he did not thereby pledge himself not to oppose it, if necessary, at a future period. He complained of the manner in which the noble lord introduced papers to the House. They never were produced till it was too late in the session to make use of them. A month ago he moved for an account of the droits of the Crown, which was ready since the 23rd of February, but it was not forthcoming until the noble lord had made his motion; and it then seemed to be produced for the purpose of creating embarrassment. The correspondence, relative to the estimate of the civil list expenditure, for the quarter ending in January last, was also ready on the 23rd of February; and now, for the first time, the noble lord thought fit to produce it. What answer did the noble lord make when called upon to produce this paper, which he admitted was ready on a former occasion? Why, forsooth, that he did not wish to present it till he could accompany it with an explanation of his own; and yet, now that he had presented it, his own explanation was perfectly unintelligible; and at last he was obliged to refer to the paper itself. Thus he (Mr. Tierney), after all the trouble and pains he had taken to make himself acquainted with the estimates upon this subject, had now his work to do over again, and had between this and Monday to devote himself, night and day, to examine the new estimates of the noble lord. Therefore he should be under the necessity of bespeaking the indulgence of the House, in consequence of the embarrassment to which he was subjected by the very extraordinary proceeding of the noble lord. But such a proceeding was not more inconvenient to him than to the House generally; for the information requisite to a correct understanding of the subject to which he thought it proper to call its attention, was thus wantonly withheld, until it became impossible fully to examine that information. The right hon. member concluded with observing, that his only object upon this occasion was that which the noble lord himself professed, namely, to discharge his duty to the country and to the Crown, by providing such an arrangement with regard to the civil list as should be suitable to the resources of the people and to the splendour of the Crown.

Lord *Castlereagh* said, that of all questions that could be brought before the House, the civil list was that which it would be most unfair and improper to discuss in parts, instead of looking at it as a whole. There was certainly, therefore, no just ground for complaint on the part of the right hon. gentleman opposite, as to the rejection of those motions, the object of which was the partial discussion of this question. He was sure the House would acquit him of any intention of embarrassing the question. The right hon. gentleman, however, exaggerated when he talked of the disadvantage under which he laboured from the time at which the accounts were laid before the House; for he would venture to say, that when the right hon. gentleman looked at the accounts, he was so thoroughly master of the subject that he would understand them in ten minutes.

Mr. *Tierney* said, that he did not wish the House to adopt the mere assertions of the noble lord and himself. This was not the way in which the question ought to be argued. It was probable that he himself might speedily arrive at a knowledge of the facts; but he doubted very much whether he should be able to make the House understand them. There were very few gentlemen who had paid much attention to this intricate subject, and, from the course which had been pursued, he was afraid that the House would not come to the discussion with sufficient information.

Sir *Francis Burdett* rose to enter his protest against the doctrine of the noble lord, that the droits of the admiralty should be deemed the private property of the Crown, as well as against other principles advanced by the noble lord in the course of his long speech. Into the discussion of those principles, he however did not at present propose to enter. But as to the noble lord's expression, that the civil list expenditure had a tendency to outgrow the parliamentary allowance, he must observe, that according to his judgment and the decision of common sense, the only way to check that tendency—the only way to prevent those connected with the civil list from contracting debts—was to resolve not to pay them. This would be the effectual mode of guarding against any excess in the civil list, and ministers should be rendered responsible for the expenditure of the public money in this department. If ministers were called upon to exercise a due degree of vigilance upon this subject—if they were really responsible—then the House and the country would have some security against the recurrence of those excesses in the civil list, which had so frequently taken place, especially of late years. The hon. baronet said, he approved of the proposed separation of the provisions for the several members of the royal family from the other branches of the civil list expenditure. The noble lord had detailed the mistakes of several administrations with respect to the civil list—those mistakes involving, in fact, a violation of law. But while those mistakes were not visited by any punishment, what security could the country have, that the proposed law would not be also set at nought, if ministers were not rendered really responsible for its execution? If the provisions of what was called Mr. Burke's bill had been attended to, no excess would have accrued upon the civil list; and what assurance had the House or the country that the noble lord's bill would be a jot more efficient than that brought forward by Mr. Burke, unless ministers were bound to enforce its execution, and unless ministerial responsibility was rendered something more than a mere name? For otherwise it would be absurd to calculate upon the efficiency of any legislative measure upon this subject. The hon. baronet concluded with repeating his protest against the doctrine of the noble lord, that the droits of admiralty were not regarded as public property, as well as against other principles incidentally introduced by the noble lord in the course of his speech. He trusted that, when the matter came to be discussed, the House would give the utmost attention to a subject of such vital importance to the country.

Leave was then given to bring in the bill.

PAPERS RELATING TO THE CIVIL LIST, AND THE DROITS OF THE CROWN AND ADMIRALTY.] The following Papers referred to in the course of the preceding debate, were presented to the House, by command of the Prince Regent:

An ESTIMATE of the probable future Annual Charge upon the CIVIL LIST;—and also, a Statement of the Amount of Charge from which it is proposed to relieve each CLASS of the CIVIL LIST; comparing the same with the Estimate presented in the last Session of Parliament.

CLASSES.	ESTIMATE of the probable future Annual Charge.			AMOUNT of Charge from which it is proposed to relieve the Civil List.		
	£.	s.	d.	£.	s.	d.
FIRST CLASS:						
Pensions and Allowances to the Royal Family	298,000	0	0	30,500	0	0
SECOND CLASS:						
Allowances to the Lord Chancellor, Judges, &c.	32,955	0	0			
THIRD CLASS:						
Allowances to Foreign Ministers, including Pensions to Foreign Ministers, and Salaries to Consuls	226,950	0	0			
FOURTH CLASS:						
Bills of his Majesty's Tradesmen	209,000	0	0	25,000	0	0
FIFTH CLASS:						
Salaries to the Departments of the Lord Chamberlain, Lord Steward, Master of the Horse, Master of the Robes, and Surveyor General of Works, including Compensations, and Superannuation Allowances payable within those Departments	140,700	0	0			
SIXTH CLASS:						
Pensions limited by Act 22 Geo. 3, cap. 82	95,000	0	0			
SEVENTH CLASS:						
Salaries and Allowances to certain Officers and Persons	41,300	0	0	3,268	0	0
EIGHTH CLASS:						
Salaries to the Commissioners of the Treasury and Chancellor of the Exchequer	13,822	0	0			
Occasional Payments, not comprised in any of the aforegoing Classes	26,000	0	0	197,000	0	0
£.	1,083,727	0	0	255,768	0	0

FIRST CLASS.

FIRST CLASS.

An ESTIMATE of the probable future Annual Charge upon the CIVIL LIST, in respect of Pensions and Allowances to the Royal Family; and also a Statement of the Amount of Charge, from which it is proposed to relieve the CIVIL LIST.

	ESTIMATE of the probable future Annual Charge.			AMOUNT of Charge proposed to be transferred to the Consolidated Fund.		
	£.	s.	d.	£.	s.	d.
Allowance for his Majesty's Establishment at Windsor, per Act 52 Geo. 3, cap. 8.	100,000	0	0	—		
His Majesty's Privy Purse	60,000	0	0	—		
Her Majesty the Queen	58,000	0	0	—		
Do - - - - - - additional Allowance, per Act 52 Geo. 3, c. 8.	10,000	0	0	—		
Privy Purse of his Royal Highness the Prince Regent	60,000	0	0	—		
Allowance to - - - - - - - - - Do	10,000	0	0	—		
Allowance to his Royal Highness the Duke of York	-	-	-	12,000	0	0
Do - - - - - - - - - - Do - - Duke of Clarence	-	-	-	2,500	0	0
Do - to her Royal Highness the Princess Augusta Sophia	-	-	-	4,000	0	0
Do - - - - Do - - - - Princess Elizabeth	-	-	-	4,000	0	0
Do - - - - Do - - - - Princess Mary	-	-	-	4,000	0	0
Do - - - - Do - - - - Princess Sophia	-	-	-	4,000	0	0
Total, First Class £.	298,000	0	0	30,500	0	0

SECOND CLASS.

An ESTIMATE of the probable future Annual Charge upon the CIVIL LIST, in respect of Allowances to the Lord Chancellor; Speaker of the House of Commons; Judges of the Courts of King's Bench and Common Pleas; Barons of the Exchequer, and Justices of the Courts of Great Session in Wales.

	ESTIMATE of the probable future Annual Charge.		
	£.	s.	d.
Lord Chancellor	5,000	0	0
Speaker of the House of Commons	1,825	0	0
Judges of the Court of King's Bench	8,500	0	0
Do - - - - - - - - - Common Pleas	7,500	0	0
Barons of the Exchequer	6,500	0	0
Chief and Second Justices of Chester	1,230	0	0
Justices of the Court of Great Session in Wales	2,400	0	0
Total, Second Class £.	32,955	0	0

THIRD CLASS.

An Estimate of the probable future Annual Charge upon the Civil List, in respect of Allowances to Foreign Ministers, including Pensions to Foreign Ministers, and Salaries to Consuls.

AMBASSADORS.	Salary.			Outfit.			House Rent.		
First Class.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Paris	11,000	0	0	4,000	0	0	—		
Secretary of Embassy	1,100	0	0	400	0	0	—		
St. Petersburgh	11,000	0	0	4,000	0	0	1,000	0	0
Secretary of Embassy	1,100	0	0	400	0	0	—		
Vienna	11,000	0	0	4,000	0	0	1,000	0	0
Secretary of Embassy	1,100	0	0	400	0	0	—		
Madrid	11,000	0	0	4,000	0	0	1,000	0	0
Secretary of Embassy	1,100	0	0	400	0	0	—		
Netherlands	11,000	0	0	4,000	0	0	1,000	0	0
Secretary of Embassy	1,100	0	0	400	0	0	—		
Second Class.									
Constantinople	8,000	0	0	3,000	0	0	—		
Secretary of Embassy	1,000	0	0	300	0	0	—		
Oriental Secretary	1,000	0	0	—			—		
ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.									
Third Class.									
Prussia	7,000	0	0	2,500	0	0	500	0	0
Secretary of Legation	700	0	0	250	0	0	—		
Fourth Class.									
Portugal	5,500	0	0	2,000	0	0	500	0	0
Secretary of Legation	550	0	0	200	0	0	—		
Two Sicilies	5,500	0	0	2,000	0	0	500	0	0
Secretary of Legation	550	0	0	200	0	0	—		
America	5,500	0	0	2,000	0	0	500	0	0
Secretary of Legation	550	0	0	200	0	0	—		
Fifth Class.									
Sweden	4,500	0	0	2,000	0	0	400	0	0
Secretary of Legation	500	0	0	200	0	0	—		
Bavaria	4,500	0	0	2,000	0	0	400	0	0
Secretary of Legation	500	0	0	200	0	0	—		
Denmark	4,500	0	0	2,000	0	0	400	0	0
Secretary of Legation	500	0	0	200	0	0	—		
Sardinia	4,500	0	0	2,000	0	0	400	0	0
Secretary of Legation	500	0	0	200	0	0	—		
ENVOYS EXTRAORDINARY.									
Sixth Class.									
Wirtemberg	3,600	0	0	1,500	0	0	300	0	0
Secretary of Legation	500	0	0	150	0	0	—		
Tuscany	3,600	0	0	1,500	0	0	300	0	0
Secretary of Legation	500	0	0	150	0	0	—		
Swisserland	3,600	0	0	1,500	0	0	300	0	0
Secretary of Legation	500	0	0	150	0	0	—		
Saxony	3,600	0	0	1,500	0	0	300	0	0
Secretary of Legation	500	0	0	150	0	0	—		
Seventh Class.									
Hamburgh	2,800	0	0	1,000	0	0	300	0	0
Secretary of Legation	300	0	0	100	0	0	—		
£.	135,850	0	0	51,150	0	0	9,100	0	0

	£.	s.	d.	£.	s.	d.
Estimated Annual Amount of Salary	135,850	0	0			
for House Rent	9,100	0	0			
Pensions to Foreign Ministers	52,000	0	0			
Salaries to Consuls	30,000	0	0			
				226,950	0	0

FOURTH CLASS.

An Estimate of the probable future Annual Charge upon the Civil List, in respect of the Bills of his Majesty's Tradesmen in the Department of the Lord Steward, Lord Chamberlain, Master of the Horse, Master of the Robes, and Surveyor General of Works; and also a Statement of the Amount of Charge from which it is proposed to relieve the Civil List.

	ESTIMATE of the probable future Annual Charge.			AMOUNT of Charge proposed to be defrayed by Grants of Parliament.		
	£.	s.	d.	£.	s.	d.
Lord Steward	85,000	0	0	—		
Lord Chamberlain	40,000	0	0	[*] 15,000	0	0
Master of the Horse	40,000	0	0	—		
Master of the Robes	4,000	0	0	—		
Surveyor General of Works	[‡] 40,000	0	0	[†] 10,000	0	0
Total, Fourth Class....£.	209,000	0	0	25,000	0	0

[*] This sum of 15,000*l.* is the estimated Amount of the future Charge, in respect of Furniture and various other Articles, heretofore supplied by the Lord Chamberlain's Department to certain Public Offices; also the Expense of Plate, &c. for his Majesty's Foreign Ministers and Governors; Collars, Badges, and Mantles of the several Orders of the Garter, Bath, and Thistle; silver Trumpets for the Life Guards and Horse Guards Blue; gold Chains, Badges, and Mantles of the Officers of the several Orders; silver Collars and embroidered Coats for the Heralds; Furniture for the Royal Yachts, and Triennial and Septennial Services for the Drummers, and Royal Standards for the Life and Foot Guards.

[†] This sum of 10,000*l.* is the estimated Amount of the future Charge for the Repairs of the several Public Offices and Buildings at the Tower, Whitehall, and Westminster; and also the necessary Works and Repairs in Saint James's Park, and the private Roads heretofore defrayed out of the Civil List.

[‡] This sum of 40,000*l.* is the estimated Charge for Repairs and necessary Alterations at the several Royal Palaces, &c. at Richmond, Kew, Kew House, &c. Queen's Palace, Carlton House, Mews, Kensington Palace and Gardens, Windsor Castle and Queen's Lodge; Hampton Court Palace and House Park, and Saint James's Palace. It is also proposed in the event of any new Buildings being to be undertaken, or of any very extensive Repairs beyond what the present Estimate is calculated to cover, that an Estimate of the Expense should be submitted to Parliament previously to the commencement of the Work, in order that their sanction for the same may be obtained, and provision made for defraying the Expense of its execution.

FIFTH CLASS.

An Estimate of the probable future Annual Charge upon the Civil List, in respect of the Salaries, Compensation and Superannuation Allowances in the Departments of the Lord Steward, Lord Chamberlain, Master of the Horse, Master of the Robes, and Surveyor General of Works; also for the Salaries of certain other Officers of his Majesty's Household.

	£.	s.	d.	£.	s.	d.
Lord Steward's Department:						
Lord Steward's Salary, paid at the Exchequer	1,540	0	0			
Salaries, and Compensation and Superannuation Allowances, payable in the Department	40,326	10	0			
				41,866	10	0
Lord Chamberlain's Department:						
Lord Chamberlain's Salary, paid at the Exchequer	3,000	0	0			
Vice-Chamberlain's Salary .... Ditto	600	0	0			
Groom of the Stole .... Ditto	2,000	0	0			
Twelve Gentlemen of the Bedchamber Ditto	12,000	0	0			
Thirteen Grooms..........Ditto.... Ditto	6,500	0	0			
Apothecary to his Majesty .... Ditto	115	0	0			
Apothecary to the Household........ Ditto	53	6	8			
Salaries, and Compensation and Superannuation Allowances, payable in the Department	34,793	14	0			
				59,062	0	8
Department of the Master of the Horse:						
Salaries, and Compensation and Superannuation Allowances, payable in the Department				27,743	0	0
Department of the Master of the Robes:						
Salaries, payable in this Department				1,080	0	0
Department of Surveyor General of Works:						
Salaries, and Compensation and Superannuation Allowances, payable in this Department				10,946	6	3
Total, Fifth Class....£.				140,697	16	11

SIXTH CLASS.

An ESTIMATE of the probable future Annual Charge upon the CIVIL LIST, in respect of Pensions limited by Act 22 Geo. III. cap. 82.

	£.
Pensions without Fees, formerly paid at the Treasury...............	95,000
Pensions formerly paid by the Paymaster of Pensions, in lieu of Apartments at Somerset Place	
Pensions to the Servants of the late Queen Caroline, and late Princess of Wales........................	
Pensions by Patent and Privy Seal..	
Pensions by Sign Manual	
Contingent Expenses	

SEVENTH CLASS.

An ESTIMATE of the probable future Annual Charge upon the CIVIL LIST, in respect of Salaries and Fees of sundry Public Officers, and Annuities and Payments for various Purposes; and also a Statement of the Amount of Charge from which it is proposed to relieve the CIVIL LIST.

	£.	s.	d.	ESTIMATE of the probable future Annual Charge £.	s.	d.	AMOUNT of Charge from which it is proposed to relieve the Civil List.
Lord President of the Council				4,000	0	0	
First Clerk of the Council	250	0	0				
One do..	100	0	0				
Keeper of the Council Chamber	36	10	0				
Do.................... at 2*s.* 6*d.* per day ..	45	12	6				
				432	2	6	
Lord Privy Seal				3,000	0	0	
Constable of Dover Castle				4,100	0	0	
Governor of Windsor Castle				182	10	0	
Master of the Hawks				1,372	10	0	
Chief Justice in Eyre, North of Trent				2,250	0	0	
Do........................ South of Do...................				2,316	13	4	
Chancellor of the Garter..................................				570	5	0	
University of Oxford, for a Preacher ... Perpetuity.				10	0	0	
- - - - - Professor of Divinity......Do.......				13	6	8	
- - - - - - - - - Law........................				40	0	0	
- - - - - - - - - Physic...................				40	0	0	
- - - - - - - - - History				400	0	0	
- - - - - - - - - Botany				200	0	0	
University of Cambridge, on a Perpetuity...........				10	0	0	
- - - - - - - - for a Preacher....................				10	0	0	
- - - - - - - - - Professor of Divinity...				13	6	8	
- - - - - - - - - - - - - - Law				40	0	0	
- - - - - - - - - - - - - - Physic.....				40	0	0	
- - - - - - - - - - - - - - History ...				400	0	0	
- - - - - - - - - - - - - - Botany ...				200	0	0	
Emanuel College, Cambridge - - Perpetuity...				16	13	4	
Dean and Chapter of Litchfield - - do.				10	0	0	
Vicar of Litchfield				15	0	0	
Master of the Temple				37	6	8	
Reader at Hampton Court Chapel				40	0	0	
Fellows of Eton College - - - - Perpetuity...				42	0	0	

SEVENTH CLASS—*continued.*				ESTIMATE of the probable future Annual Charge			AMOUNT of Charge from which it is proposed to relieve the Civil List.
				£.	s.	d.	
Dean and Chapter of Westminster for French Ministers, Savoy				60	0	0	
Ministers, Isle of Man				100	0	0	
Bishop of Chester, for four Preachers				200	0	0	
Vicar of the Tower - - - Perpetuity				6	13	4	
Minister of St. Botolph, Aldgate - do.				7	0	0	
Churchwardens of St. John the Baptist, Perpetuity for relief of the Poor				7	13	4	
Do. - St. Michael, Cornhill - do. - do.				12	4	0	
Do. - St. Magnus - - - - do. - do.				21	4	8	
Schoolmaster of Southell - - Perpetuity..				10	0	0	
Corporation of Dartmouth - - do.				40	0	0	
Mayor of Macclesfield				50	0	0	
Corporation of Lyme Regis				100	0	0	
Do. - - for repairing the Pier				100	0	0	
Corporation of Berwick for repairing the Bridge				100	0	0	
Christ's Hospital				370	10	0	
Representatives of Sir John Hynde Cotton - - - - - - - - - - - - Perpetuity				5	6	8	
Heirs of Colonel Fairfax - do.				100	0	0	
Do. - Nicholas Yates				100	0	0	
Astronomer Royal	250	0	0	420	0	0	
Do. in further Augmentation of his Assistant's Salary	170	0	0				
Housekeeper at Westminster				9	2	6	
Keeper of the Lions in the Tower, including extra Allowance for the Maintenance of the Animals				450	0	0	
Knight Harbinger				195	16	8	
Latin Secretary				280	0	0	
Examiner of Plays				400	0	0	
Gentleman Usher of the Black Rod				200	0	0	
Master of the Mechanics				150	0	0	
Engraver of Seals				50	0	0	
Keeper of the Tennis Courts				132	3	4	
OFFICERS OF THE CEREMONIES.							
Marshal of the Ceremonies	100	0	0				
Assistant Master of do.	121	13	4				
Master of the Ceremonies	200	0	0				
Do. - - in lieu of Bills	100	0	0				
				521	13	4	
BATH OFFICERS.							
Genealogist of the Order of the Bath	100	0	0				
Bath King at Arms	90	0	0				
Secretary to the Order of the Bath	90	0	0				
Register to Do.	90	0	0				
Gentleman Usher to Do.	90	0	0				
Messenger to Do.	40	0	0				
				500	0	0	
KINGS AND HERALDS AT ARMS.							
4 Pursuivants at Arms	80	0	0				
8 Heralds at £.26. 13*s.* 4*d.* each..	213	6	8				
3 Kings at Arms	120	0	0				
Garter King at Arms	100	0	0				
				513	6	8	

SEVENTH CLASS—*continued.*

	£.	s.	d.	ESTIMATE of the probable future Annual Charge. £. s. d.	AMOUNT of Charge from which it is proposed to relieve the Civil List.
BAND OF GENTLEMEN PENSIONERS.					
Gentleman Harbinger of the Band of Pensioners	70	0	0		
40 Gentlemen, Band of Pensioners, £.100 each	4,000	0	0		
Clerk of the Check of - - Do.	120	0	0		
Standard Bearer of - - - Do.	310	0	0		
Lieutenant of Do. - - - Do.	500	0	0		
Captain of - - - - - - Do.	1,000	0	0		
				6,000 0 0	
KEEPERS OF RECORDS.					
Keeper of the Records at the Tower 500 0 0 Do. to pay Fees on above Salary 169 4 0 Do. for 3 Clerks - - 766 12 0	1,435	16	0		
Keeper of the Council Records	500	0	0		
Keeper of the Records at Whitehall	160	0	0		
Keeper of the Records of Forfeited Estates	200	0	0		
State Paper Office	970	0	0		
Keeper of the Records in the Court of Exchequer	900	0	0		
				4,165 16 0	
OFFICERS OF THE COURTS OF EXCHEQUER AND COMMON PLEAS.					
Cursitor Baron of the Court of Exchequer	263	6	8		
Solicitor to the Court of Exchequer	150	0	0		
Treasurer's Remembrancer	64	2	1		
Two Secondaries in the Office of Do.	9	0	0		
Second Secondary in Do.	26	13	4		
Clerks in Do.	11	5	0		
Foreign Apposer	40	0	0		
Clerk of the Foreign Estreats in the Court of Exchequer	96	13	4		
Clerk of the Nichills	20	0	0		
Clerk of the Pleas	6	10	0		
King's Remembrancer	55	17	4		
Clerks in the Office of Do.	7	13	4		
Secondaries in Do.	8	0	0		
11 Masters in Chancery	1,100	0	0		
Clerk of the Hanaper, for the Expense of that Office	2,000	0	0		
20 King's Counsel £.40 per annum each	800	0	0		
Attorney General	81	6	8		
Solicitor General	70	0	0		
King's Prime Serjeant	41	6	10		
10 Serjeants at Arms, at £.100 7*s*. 6*d*. each	1,003	15	0		
King's Clerk in the Crown Office	50	0	0		
Clerk of the Foreign Estreats, Court of Common Pleas	20	0	0		
Advocate General	20	0	0		
				5,945 9 7	

SEVENTH CLASS—*continued.*		ESTIMATE of the probable future Annual Charge.			AMOUNT of Charge from which it is proposed to relieve the Civil List.		
		£.	s.	d.	£.	s.	d.
PIPE OFFICERS.							
Clerk of the Pipe	107 4 2						
Controller of the Pipe	40 0 0						
Two Secondaries in the Pipe Office	20 0 0						
Clerks in the Pipe Office	4 11 8						
		171	15	10			
British Museum		-	-	-	300	0	0
OFFICERS OF THE ORDNANCE.							
Master of the Ordnance		-	-	-	175	18	4
Lieutenant General of Do.		-	-	-	66	13	4
Surveyor General of Do.		-	-	-	36	10	0
Clerk of the Ordnance		-	-	-	36	10	0
Storekeeper of Do.		-	-	-	54	15	0
Clerk of the Deliveries		-	-	-	18	5	0
Treasurer of the Ordnance		-	-	-	40	0	0
OFFICERS OF THE RECEIPT OF EXCHEQUER.							
Two Chamberlains of the Exchequer		-	-	-	104	6	8
Two Deputy Do. for striking Tallies		-	-	-	20	0	0
Ditto on their Allowance		-	-	-	80	0	0
Senior Deputy Chamberlain		-	-	-	40	0	0
Two other Deputy Chamberlains for joining Tallies		-	-	-	10	0	0
Senior Teller of the Exchequer		-	-	-	33	6	8
One of the Tellers of the Exchequer		-	-	-	31	13	4
4 Messengers of the Exchequer, at 4½*d.* per day		-	-	-	27	7	4
Do. on their Allowance of £.12 10*s.* per month		-	-	-	600	0	0
Two Grooms of the Exchequer, at 20*s.* a-year		-	-	-	2	0	0
Porter at the Exchequer Gate		-	-	-	20	0	0
Officers of the Exchequer on their ancient Fee (Clericus et Ministris)		-	-	-	30	0	0
Exchequer Watchmen		-	-	-	438	0	0
Salaries formerly paid to the under-mentioned Officers of the Exchequer, but now payable to the Chief Clerk of the Pells, Receiver of Fees, per Act 23 Geo. III.							
To the Auditor, on his Fee		-	-	-	260	3	4
Do. on his additional Allowance		-	-	-	200	0	0
Do. for his 1st Clerk, on Do.		-	-	-	100	0	0
Do. for a Clerk in the Tally Court, on his Fee		-	-	-	36	10	0
Do. for keeping a Register on the Public Loans		-	-	-	50	0	0
Do. on his Fee		-	-	-	20	0	0
To the Clerk of the Pells, on his Allowance		-	-	-	195	8	4
Do. on his Fee		-	-	-	5	0	0
Do. for a Clerk on Do.		-	-	-	172	6	8
Do. for one of the Four Tellers		-	-	-	31	13	4
Do. for another Do.		-	-	-	31	13	4
Total, Seventh Class £.		41,297	10	1	3,268	0	0

EIGHTH CLASS.—AN ESTIMATE of the probable future Annual Charge upon the CIVIL LIST, in respect of the Salaries to the Commissioners of the Treasury, and Chancellor of the Exchequer.

	£.	s.	d.
Commissioners of the Treasury	8,000	0	0
First Commissioner of ditto	4,022	0	0
Chancellor of the Exchequer	1,800	0	0
Total, Eighth Class £.	13,822	0	0

OCCASIONAL PAYMENTS.

An ESTIMATE of the probable future Annual Charge upon the CIVIL LIST, in respect of Occasional Payments not comprised in any of the aforegoing CLASSES; and also a Statement of the probable future Amount of Charge from which it is proposed to relieve the CIVIL LIST.

	ESTIMATE of probable future Annual Charge.			AMOUNT of Charge proposed to be defrayed by Grants of Parliament.		
	£.	s.	d.	£.	s.	d.
Special Service and Royal Bounty	10,000	0	0			
Home Secret Service	10,000	0	0			
Lord Almoner, for Alms	1,119	0	0			
Archbishop of York, for Charities and Arabic Professors	900	0	0			
Chamberlain of London, for the Poor of that City	1,000	0	0			
Chelsea Waterworks, for supplying the Treasury	52	14	0			
Fees, &c. on the Receipt of the Privy Purse of his Majesty, and of his Royal Highness the Prince Regent	522	0	0			
His Majesty's Charity to Female Objects in Distress	1,202	2	6			
Chairman of the Westminster Sessions, for Dinners	214	3	0			
Mayor, Aldermen, and Sheriffs of London, for Impost on Wine	100	16	0			
Incidental Expenses of the Treasury	-	-	-	5,000	0	0
Deficiency of Fees..............Do	-	-	-	22,000	0	0
Deficiency of Fees—Secretaries of State—Home Department	-	-	-	14,000	0	0
Foreign Departments	-	-	-	16,000	0	0
War and Colonies	-	-	-	6,000	0	0
Deficiency of Fees—Council Office	-	-	-	15,000	0	0
Contingent Expenses of the State Paper Office	-	-	-	600	0	0
......Do..................Record Office, Tower	-	-	-	600	0	0
Outfit to Ministers at Foreign Courts	-	-	-	10,000	0	0
Extra Extraordinary Disbursements, &c. of his Majesty's Ministers and Consuls at Foreign Courts	-	-	-	50,000	0	0
Presents to the Ministers of Foreign Powers	-	-	-	15,000	0	0
Three Secretaries of State—Contingencies	-	-	-	21,000	0	0
..........Do...........Messengers	-	-	-	18,000	0	0
Bailiff of the Tower—Contingent Disbursements	-	-	-	400	0	0
Lord Chamberlain, to pay Messengers Bills	-	-	-	1,600	0	0
Messengers of the Exchequer—Travelling Charges	-	-	-	1,500	0	0
Deputy Chamberlain of the Exchequer, and Officers of the Tally Court for striking Tallies	-	-	-	300	0	0
Total, Occasional Payments............£.	25,110	15	6	197,000	0	0*

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* *Note.*—The Estimate of these Charges has been framed with a view to their probable Amount in time of Peace; but from the Nature of the Services, they are liable to much Fluctuation; it is therefore proposed, that a Vote should be submitted for a Sum in gross, under the term "Civil Contingencies," out of which these Charges should be paid, and the Account of which should be submitted to Parliament.

COMPARE between the ESTIMATE of 1804, the Average Expenditure for 7 Years to 5th July 1811, the Average Annual Expenditure for 2¾ Years to the 5th January 1815, and the proposed future Charge upon the CIVIL LIST, according to the ESTIMATE submitted to the Committee upon the CIVIL LIST in 1815, and the Charge upon the CIVIL LIST according to the proposed ESTIMATE; also a Statement of the Amount from which it is proposed to relieve the CIVIL LIST.

—	ESTIMATE of 1804.			Average Annual Expenditure, 7 Years to 5th July 1811.			Average Annual Expenditure, 2 Years and three quarters to 5th January 1815.			ESTIMATE 1815.						Proposed Estimate.			AMOUNT of Charge from which it is proposed to relieve the Civil List.		
										Estimate 1815.			AMOUNT of Charge from which it was proposed to relieve the Civil List.								
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
FIRST CLASS:—Pensions and Allowances to the Royal Family	222,500	0	0	220,640	0	0	334,500	0	0	198,000	0	0	136,500	0	0	298,000	0	0	30,500	0	0
SECOND CLASS:—Allowances to the Lord Chancellor, Judges, &c.	32,955	0	0	32,870	0	0	32,854	0	0	32,955	0	0	-	-	-	32,955	0	0			
THIRD CLASS:—Allowance to Foreign Ministers	112,330	0	0	82,060	0	0	115,872	0	0	253,300	0	0	-	-	-	226,950	0	0			
Pensions to...Do......(formerly part of 6th Class)	27,412	0	0	52,700	0	0	56,056	0	0												
FOURTH CLASS:—Bills of his Majesty's Tradesmen	172,505	19	4	259,933	0	0	360,924	0	0	229,300	0	0	25,000	0	0	209,000	0	0	25,000	0	0
FIFTH CLASS:—Salaries to the Departments of the Lord Chamberlain, Lord Steward, Master of the Horse, Master of the Robes......(forming 5th Class)	98,542	0	5	102,237	0	0	111,630	0	0												
Salaries in the Lord Chamberlain's Department, and Office of Works...(formerly part of the 7th Class)	7,058	8	4	6,682	0	0	3,960	0	0	137,858	6	8	-	-	-	140,700	0	0			
Compensation and Superannuation Allowances...(forming part of the 6th Class)	11,258	12	0	10,100	0	0	11,644	0	0												
SIXTH CLASS:—Pensions......(a part only of the former 6th Class)	92,582	4	4	86,391	0	0	87,160	0	0	95,000	0	0	-	-	-	95,000	0	0			
SEVENTH CLASS:—Salaries and Allowances to sundry Persons......(a part only of the former 7th Class)	48,339	19	9	48,710	0	0	46,464	0	0	41,298	0	0	2,539	9	0	41,300	0	0	3,268	0	0
EIGHTH CLASS:—Salaries to the Commissioners of the Treasury	13,822	0	0	13,310	0	0	13,452	0	0	13,822	0	0	-	-	-	13,822	0	0			
Occasional Payments	139,737	6	7	187,050	0	0	323,270	0	0	35,110	0	0	278,000	0	0	26,000	0	0	197,000	0	0
£.	979,043	10	9	1,102,683	0	0	1,497,786	0	0	1,036,643	6	8	442,039	9	0	1,083,727	0	0	255,768	0	0
													1,036,643	6	8				1,0837,27	0	0
Estimate, 1815 - - -													1,478,682	15	8	Estimate,1816£.			1,339,495	0	0
Estimate, 1816 - - -													1,339,495	0	0						
Present Estimate, less than that of 1815, by - £.													139,187	15	8						

Whitehall Treasury Chambers,
May 3, 1816. } (Signed) C. ARBUTHNOT.

An ACCOUNT showing the total Amount of the PROCEEDS received from the DROITS OF THE CROWN, and ADMIRALTY, since the 1st of January 1814, to the latest period to which the same can be made up;—together with, An Account of the Sums paid out of the Droits since the same date, specifying by whom received, and on what Account.

No. 1.—State of DROITS arising to his Majesty, either in right of his Crown, or as Droits and Perquisites in his Office of Admiralty; showing the Receipts and Payments, in respect thereof, by the Registrar of the High Court of Admiralty; from the 1st of January 1814 to the 26th April 1816.

	£.	s.	d.
Balance .... 1st January 1814	332,433	19	5
Amount of Receipts in the above period	892,856	17	1
	£. 1,225,290	16	6

	£.	s.	d.
Amount of Payments made in the above period, under royal warrants, decrees of court, &c.	948,105	0	2
Balance, ... 26th April 1816	277,185	16	4
	£. 1,225,290	16	6

	ABSTRACT of the above PAYMENTS:	£.	s.	d.
1814.	Payments to Captors	449,700	11	3
Mar. 2	Paid into the Exchequer, for the Purposes of the Civil List	100,000	0	0
11.	Paid into ditto, in aid of the Consolidated Fund	4,073	10	4
May 6.	Paid to the Controller and Paymaster of the Establishment of her royal highness the Princess Charlotte	7,500	0	0
	Payments to Captors Agents	1,880	0	8
	Payments to Captors Proctors for Costs	417	11	8
Dec. 3.	Paid into the Exchequer for the purposes of the Civil List	100,000	0	0
	Payments to Claimants, including Primage, Expenses to Masters, and other Allowances	9,055	4	8
1815.	Payments to Claimants Proctors for Costs	72	15	1
July 27.	Paid to the Controller and Paymaster of the Establishment of her royal highness the Princess Charlotte	9,000	0	0
Apr. 22.	Paid a further Sum into the Exchequer, in aid of the Consolidated Fund	3,263	4	0
	Payments to the Receiver General of Droits	23,745	7	8
	Payments to the Admiralty Proctor for Costs	231	19	1
	Payments to the Marshal of the Admiralty for Charges	3,011	11	6
	By Proceeds of American Cases, brought in by the Commissioners, but carried to the Account of Suitors for the present, the Condemnations being appealed against	8,277	12	7
	By so much which the Registrar overcharged himself with in a former Account	1,543	9	4
	By Repayments to the American Commissioners	96	15	6
1816.	Payments to King's Proctor for Bills of Costs	9,450	14	6
Feb. 3.	Paid to the Controller and Paymaster of the Establishment of her royal highness the Princess Charlotte	3,000	0	0
Mar. 14.	Paid to the Right Honourable John M'Mahon, to be applied by him in discharge of the Expenses incurred for Buildings and Alterations at the Pavilion at Brighton	20,000	0	0
	By Registrar's Poundage, and Expenses attending issues of Monies, &c.	3,784	12	4
Apr. 20.	Paid into the Exchequer for the purposes of the Civil List	190,000	0	0
		£. 948,105	0	2

Note :—There still remain various Claims of Captors for Rewards not yet determined on, also Expenses on Condemned Property undischarged, and other Contingencies; to the Liquidation of which the Balance of 277,185*l.* 16*s.* 4*d.* will be applicable.

Admiralty Registry,
Doctors' Commons, 27 April 1816. } Signed, J. FARQUHAR.

No. 2.—RECEIPTS and PAYMENTS by Sir Cl. Ch. de Crespigny, Receiver General of the Droits of Admiralty; from the 1st January 1814 to April 6th 1816.

1814.	RECEIPTS:	£.	s.	d.
Jan. 7.	By Mr. Avery, Droit at Padstow	11	2	5
31.	By Interest of Exchequer Bills ×	94	4	9
Apr. 21.	By Mr. J. N. Kirby, Droits at Antigua	364	5	8
29.	By Exchequer Bills ×	4,074	0	9
May 27.	By - Do. ×	3,603	11	2
June 13.	By G. Gostling, Esq. Droits from the Cape of Good Hope	22,000	0	0
July 26.	By G. Gostling, Esq. proceeds of the San Pedro, New Providence	1,000	0	0
Sep. 15.	By - Do. - Droits from the Cape of Good Hope	2,700	0	0
Oct. 3.	By Exchequer Bills sold ×	4,079	14	3
8.	By - - Do. ×	7,629	3	0
27.	By - - Do. ×	1,012	16	3
Nov. 2.	By - - Do. ×	1,020	11	8
19.	By Mr. George Moore, Droit from Malta	346	2	9
Dec. 14.	By G. Gostling, Esq. proceeds of Union and Alligator, Calcutta	2,000	0	0
22.	By - Do. - proceeds of San Pedro, N. Providence	450	0	0
	By - Do. - proceeds of Trimmer, N. Providence ...	600	0	0
1815.				
Jan. 18.	By - Do. - proceeds of the Hellingren, Barbadoes	397	12	2
Feb. 25.	By Exchequer Bills sold ×	1,514	3	6
Mar. 14.	By - Do. ×	2,069	16	3
Apr. 5.	By Mr. Waters, Droit at Carmarthen	44	3	4
30.	By Mr. J. Bright, Do. at Exeter	3	0	0
May 18.	By Mr. J. Ward, Do. at Cowes	50	6	0
June 9.	By G. Gostling, Esq. the Pamplona, Droit at Barbadoes	687	3	5
23.	By Regr. of H. Ct. of Admiralty, proceeds of dria Kroungren de Vewagting, Endragt	3,633	0	6
	By - Do, proceeds of Lydia	657	15	4
July 3.	By Mr. Wright, Droit at Exeter	2	10	0
28.	By Interest on Exchequer Bills ×	252	19	6
Aug. 9.	By Exchequer Bill sold ×	1,005	11	3
Sep. 7.	By Interest on Exchequer Bill ×	11	0	6
	By Sale of Exchequer Bills ×	2,007	5	9
18.	By - Do. ×	5,053	0	1
19.	By - Do. ×	1,836	7	8
21.	By G. Gostling, Esq. part proceeds of Ship Adolphus, condemned at Nassau	1,748	6	6
30.	By Do., salvage of Mary, of Bengal	400	0	0
	By Do., the Decateur, condemned at Barbadoes	151	11	2
Oct. 13.	By Regr. of H. Ct. of Admiralty	19,454	11	10
Nov. 29.	By Exchequer Bills sold ×	4,109	2	8
Dec. 18.	By - - Do. ×	9,347	10	6
1816.				
Jan. 22.	By Richard Birt, Esq. sum overpaid in proceeds of the Copenhagen and Nymph	376	8	8
Feb. 12.	By Mr. Ward, Droit at Isle of Wight	6	5	4
26.	By Exchequer Bill sold ×	1,038	17	6

Mar. 14.	By Exchequer Bill sold ×				524	1	11
Apr. 3.	By Mr. John Dougan, proceeds of schooner Rose, Droit at Bermuda				1,285	9	6
					108,653	13	6
	Deduct the Sums in this Account marked × which are mere Accounts of Exchequer Bills, in which the Balance of this Account is from time to time invested, viz.	£. 94	4	9			
		4,074	0	9			
		3,603	11	2			
		4,079	14	3			
		7,629	3	0			
		1,012	16	3			
		1,020	11	8			
		1,514	3	6			
		2,069	16	3			
		252	19	6			
		1,005	11	3			
		11	0	6			
		2,007	5	9			
		5,053	0	1			
		1,836	7	8			
		4,109	2	8			
		9,347	10	6			
		1,038	17	6			
		524	1	11			
					50,283	18	11
	Total Receipts of Droits				£. 58,369	14	7

1814.	PAYMENTS.	£.	s.	d.
Mar. 2.	To James Choyce, one of the captors of the San Pedro; in obedience to H. R. H. Prince Regent's warrant	24	1	0
	To Mr. St. Bacbe, agent to the master, officers, and crew of the ship Alexander; in obedience to his Majesty's warrants, dated June 18, 1810, and 3d. December 1813	908	12	0
	To Chas. Bicknell, Esq. half year's salary, to 1st March ...	100	0	0
	To self and Clerk - - Do.	175	0	0
14.	To Captain, Officers, and Crew of H. M. S. Spitfire; in obedience to P. Regent's warrant 7th March	304	1	9
May 11.	To Garrison of Trinité, one-half of proceeds of La Stephanie; in obedience to Do. of 20th October 1813	2,485	5	1
27.	To Commissioners for settling Fees of V. A. Courts; in obedience to Do., dated 13th May	1,377	16	0
June 2.	To G. Gostling, Esq. proceeds of Calmar; in obedience to monition of H. Ct. of Admiralty	3,991	15	0
6.	To Sir James Bontein; in obedience to P. Regent's warrant of 4th May	1,351	16	0
15.	To Exchequer Bills bought *	18,074	18	5
16.	To Owners, Officers, and Crew of brig Bee, proceeds of Resource; in obedience to P. Regent's warrant of 7th May	652	15	9
	To Govr. Patton and Garrison of St. Helena, part of the proceeds of the Batavia; by order H. Ct. of Admiralty	618	5	11
July 14.	To Owners, Officers, and Crew of ship United Kingdom, Do.; by Do.	228	5	3
	To Owners, &c. of ship Baring, Do.; by order of Do. ...	263	14	4
	To Owners, &c. of ship Minerva, Do.; by Do. ...	126	6	4

Aug. 31.	To Exchequer Bill bought *	1,021	8	0
Sep. 15.	To Treasurer of the Navy: in obedience to his Majesty's warrant, dated 6th August	1,016	1	0
30.	To Exchequer Bills bought *	1,311	18	11
Oct. 8.	To H. R. H. the Duke of York; in obedience to his Majesty's warrant, dated 30th September	4,000	0	0
12.	To Messrs. M'Iver and Twemlowe; in obedience to his Majesty's warrant, dated 23d September	7,878	4	6
22.	To H. R. H. The Duke of Clarence; in obedience to his Majesty's warrant, dated 15th October	1,762	5	7
Nov. 1.	To G. Gostling, Esq. sundry Bills	133	5	6
	To Chas. Bicknell, Esq. half year's salary, to 1st September	100	0	0
	To self and Clerk - - Do.	175	0	0
Dec. 15.	To H. R. H. The Duke of Clarence; King's warrant, dated 18th November ..	125	6	3
21.	To Exchequer Bills bought *	2,003	11	6
1815.				
Jan. 17.	To G. Gostling, Esq.; by order of Admiralty	608	15	3
Feb. 24.	To Captain John Davie; King's Warrant, dated 11th Feb.	1,390	2	0
	To the Rev. W. V. Fryer - Do. - dated 21st Feb.	743	0	6
	To Mr. Robert Taylor - - Do. - dated 11th Feb.	129	8	3
28.	To G. Gostling, Esq. sundry Bills	51	10	3
March.	To Chas. Bicknell, Esq. half year's salary to 1st inst.	100	0	0
	To self and Clerk - - Do.	175	0	0
9.	To James Jackson, his Share in the San Pedro	24	1	0
13.	To Samuel Hancock, Esq. Expenses incurred under direction of the Treasurer of the Navy - his Majesty's warrant, dated 6 August 1814	1,302	3	1
	To - Do. - Do. his Majesty's warrant, dated 7th October 1814	753	15	10
May 9.	To Wm. Speer, Esq. Expenses incurred in the case of the Ship Elizabeth and Mary, his Majesty's warrant, dated 14th April	706	3	6
11.	To J. Riley, his Share in the San Pedro	24	1	0
June 23.	To Regr. of H. Ct. of Admiralty - Poundage	33	0	10
	To Regr. of H. Ct. of Admiralty - Poundage	7	14	10
	To G. Gostling, Esq. his Bill	3	15	8
	To Regr of H. Ct. of Admiralty, by order of the Lords Commissioners of the Admiralty	166	11	4
27.	To G. Gostling, Esq. his Bill	1	6	8
	To Exchequer Bills bought *	3,517	4	4
Aug. 1.	To - Ditto *	1,014	8	3
10.	To Admiral Lukin, by order of H. R. H. the Prince Regent's warrant, dated the 5th instant...	1,055	14	6
Sept. 5.	To Mr. F. G. Donovan, by order of Ditto, dated 5th August	209	14	6
7.	To Mr. G. Elwall, proceeds of Ship S. Carolina and cargo, by order of Ditto, dated 29th August	1,915	11	6
16.	To Mr. R. C. Sconce, by order of the Lords Commrs. of the Admiralty	34	18	0
21.	To Ali Bahi, by order of H. R. H. the Prince Regent's warrant, dated 14th instant	8,127	4	6
	To Sidi Mahomet Hardan, by Do. - Do.	729	4	6
30.	To G. Gostling, Esq. sundry Bills	36	13	3
Oct. 13.	To Regr. of Admiralty - Fees, Poundage, &c.	177	17	10
	To G. Gostling, Esq. sundry Bills	1,234	1	3
	To Do. - - Do.	28	19	4
17.	To Sir Jas. Bontein - order of H. R. H. the Prince Regent's warrant, dated 14th May 1814	244	0	0
19.	To Exchequer Bills *	14,441	7	3

Nov. 10.	To Mr. Austin – Poundage, Greenwich Hospital and Chest	1,584	6	2
14.	To Mr. Woodbine Parish, for examining Accounts of the Regr. of Admiralty – King's Warrant, dated 9th Nov.	626	3	6
	To Charles Bicknell, half year's Salary to 1st September...	100	0	0
	To self and Clerk – Ditto	175	0	0
	To Error in last Accounts, proceeds of Lydia, debited at 657*l.* 15*s.* 4*d.* received only 646*l.* 14*s.* 10*d.*	11	0	6
23.	To G. Gostling, Esq. by order of the Lords Commrs. of the Admiralty	519	17	6
	To A. Newman and others, proceeds of Venus and Cargo, in obedience to H. R. H. the Prince Regent's Warrant, dated 8th November	3,402	19	8
Dec. 1.	To Mr. W. Cole, further proceeds of Ship S. Carolina, in obedience to Ditto – dated 20th November	457	4	6
20.	To Rd. Birt, Esq. proceeds of Copenhagen and Nymph, in obedience to Ditto – dated 20th November	8,416	5	0
1816.				
Jan. 17.	To Jas. Sedgwick for examining Accounts of Regr. of Admiralty, in obedience to Ditto – dated 12th January...	606	3	6
Feb. 5.	To Mr. Slade – proceeds of Paulina, in obedience to Ditto dated 30th December	585	19	6
15.	To Sir James Bontein, by order of the Lords Commrs. of the Admiralty	256	10	0
29.	To J. C. Esten, Esq. for business done in American Treaty cases, in obedience to H. R. H. the Prince Regent's Warrant, dated 23d of February	227	4	6
March 4.	To Chas. Bicknell, Esq. half year's Salary to 1st March...	100	0	0
	To self and Clerk, Ditto	175	0	0
April 6.	To Chas. Bicknell, Esq. two Bills	57	7	6
	To Messrs. Adam & Ross, Assigns to John Birch, Esq. Compensation for loss of Swedish Ship Regina Christina – his Majesty's Warrant, dated 3d April 1816	1,843	17	3
		£.108,342	2	2

DEDUCT the Sums in this Account marked * which are mere Accounts of Exchequer Bills, in which the Balance of this Account is from time to time invested, viz.	18,074	18	5			
	1,021	8	0			
	1,311	18	11			
	2,003	11	6			
	3,517	4	4			
	1,014	8	3			
	14,441	7	3			
				41,384	16	8
TOTAL Payments on Account of Droits				£. 66,957	5	6

Lincoln's-Inn Fields,
9th April 1816.

Errors Excepted,
Signed CL. CH. DE CRESPIGNY.

No. 3.—Statement of RECEIPTS and PAYMENTS by the Commissioners for Danish Droits of the Crown, between the 1st of January 1814, and the 25th April 1816.

	£.	s.	d.
RECEIVED:			
For the Sale of Danish Stores taken at Heligoland	671	15	1
PAID:			
To the Registrar of the Court of Admiralty	671	15	1

†

Into the Exchequer, in aid of His Majesty's Civil List Revenue	2,339 15 0
£.	3,011 10 1

Danish Commissioners' Office,
25th April 1816.

Signed
A. Hayton, Sec.

The above-mentioned Sum of 671*l.* 15*s.* 1*d.* is included in the Account of the Registrar of the Court of Admiralty, Appendix No. 1.

No. 4.—Statement of Receipts and Payments by the Commissioners for American Droits of the Crown, between the 1st January 1814, and the 25th April 1816.

	£.	s.	d.
Received:			
For the Sales of ships and cargoes	160,465	0	5
Paid:			
To the Registrar of the Court of Admiralty, for proceeds of ships and cargoes	561,765	0	3
To - Do. - on Account of Interest arising from the Funds in the hands of the Commissioners	18,000	0	0
To George Elwell, for the proceeds of the cargo of the America, Hillert, restored	5,202	1	2
To Samuel Williams, for the proceeds of the Neptune and cargo, restored	5,143	12	1
To - Do. - for the proceeds of the cargo of the Champlin, restored	3,914	19	9
To - Do. - for the proceeds of the cargo of the Danae, restored	3,352	11	7
To Bell and Co. for the proceeds of the Diana and cargo, restored	1,568	17	8
To James Newman, for the proceeds of the Hiram and cargo, restored	412	8	4
To George Cowie, for the proceeds of the Mary and cargo, restored	1,243	12	3
To D. H. and I. A. Rucker, for the proceeds of the Indiana and cargo, restored	2,739	12	6
£.	603,342	15	7

American Commissioners' Office,
25th April 1816.

Signed
A. Hayton, Sec.

The above-mentioned Sums of 561,765*l.* 0*s.* 3*d.* and 18,000*l*, are included in the Account of the Registrar of the Court of Admiralty, Appendix No 1. and should therefore be deducted from this Account.

Copy of the Treasury Minute, dated 5th April 1816; requesting lord Binning, Mr. Ryder, and Mr. Sturges Bourne, to examine into the offices of government.

The earl of Liverpool, and chancellor of the exchequer, recommend to the board, That, with a view of enabling his majesty's government to form an opinion in regard to the reductions which may be practicable in the several offices and civil departments of the kingdom, which have been created since the commencement of the war in the year 1793; that a commission or committee should be appointed to inquire into the nature, extent, and course of the business of the said offices and departments, and that they should report to this board upon those offices, and particularly, whether they consider any of them as no longer necessary, or whether the duties now performed by them could, without inconvenience to the public service, be transferred to any other offices or departments, or what reductions may be made in the establishment of such offices or departments, without prejudice to the business they are expected to perform; and they recommend to the board, that lord Binning, Mr. Ryder, and Mr. Sturges Bourne, should be nominated as members of the commission or committee, to undertake this investigation.

My lords entirely concur with the earl of Liverpool, and the chancellor of the exchequer, upon this important subject, and are pleased to direct letters to be written to each of those gentlemen, requesting they will undertake this inquiry; and acquainting them, that if they will communicate to this board, from time to time, the names of the departments or offices from whom they may be desirous of receiving information, my lords will give directions that every facility may be afforded to their investigation. (Signed)
C. ARBUTHNOT.

SILVER CURRENCY.] Mr. *Grenfell*, in presenting a petition from several traders and retail dealers, inhabiting the parishes of Shoreditch, Spital-fields and its neighbourhood, praying for a new coinage of silver, took occasion to express his disapprobation of the present silver currency, and to recommend, that the new silver currency should be fabricated not agreeably to the existing law, but agreeably to the plan proposed by lord Liverpool in 1805. By the existing law, a pound weight of silver was to be coined into 62 shillings, which weighed a pound; consequently, whenever the price of silver rose, a temptation was held out to melt the coinage. Thus government and individuals were both to suffer. He should therefore propose, that a new arrangement should be adopted, analogous to that which prevailed in all the other nations in Europe, and that in addition to some reduction of the comparative weight of the metal, a small seigniorage should be allowed. Thus government and individuals would be protected from suffering on any enhancement of the price of silver. The hon. gentleman concluded with vindicating the executive officers of the mint, from the slur which an hon. friend of his, not then in his place (Mr. Baring), thought proper to cast upon their skill. He had recently seen some specimens of a new coin from the mint which certainly did great credit to the persons who superintended that department; and he would take that opportunity of stating, that, in his opinion, those persons discharged the duties of their office with great honour to themselves and advantage to the country.

Mr. *Wellesley Pole* said, he did not rise to oppose the bringing up of the petition. There undoubtedly was great force in what had fallen from the hon. gentleman, and the petitioners had certainly just cause of complaint. It was true, as the hon. gentleman had stated, that this subject had engaged the attention of his majesty's ministers. The subject was now under consideration; but the House must be aware that it was attended with considerable difficulties, and that it ought to be maturely weighed before any measure was adopted. He was obliged to the hon. gentleman for having adverted to what fell from an hon. friend of his a few nights ago, who had thought proper to make a most uncalled for and unjust attack upon the officers employed in the mint. He had represented them as incapable of conducting the business of the mint, and had alluded to some transaction in which they had been employed by the bank, and said, that on that occasion they had proved to be incapable of coining the common bank tokens. It certainly was a matter of equal surprise and regret to him to hear such an attack made upon gentlemen, who, he knew, in point of integrity and science, were equal to any men employed in a similar manufacture, in the world. Upon inquiry, he found that the transaction alluded to by the hon. gentleman, occurred when the new machinery was introduced into the mint, and the fact was, that the moneyers were not at first as expert in working that machinery as the person by whom it was invented, which occasioned some delay; a circumstance which was not at all surprising. But he should like to ask any of the bank directors, whether they had now, or for the last two or three years, had any cause of complaint? In point of fact, the last coinage of three shilling pieces was superior, with respect to execution, to any coinage that had been issued during his majesty's reign. The hon. gentleman, after making these general attacks upon the officers employed in the mint, at last came to a point, and said that when they were called upon a short time ago to coin some Louis d'ors, they had not done themselves much credit. Now he would state the fact to the House. The officers of the mint were employed at the period alluded to to make Louis d'ors, with the approbation of the French king, of the same weight and fineness as those made in France. When this coinage underwent the trial of the Pix, the French ambassador was invited to attend, accompanied by such scientific persons as he thought proper, and to bring with him some Louis d'ors coined at Paris. The coin underwent a regular trial at Goldsmith's-hall, and the jury of goldsmiths reported that they could discover no difference between the Louis d'ors coined in England, and those coined in France, either in weight or fineness. But this was not all: the assayer of the Paris mint wrote to the assayer of the mint in England, expressing his astonishment at the accuracy with which they were made. He held now in hand eight Louis d'ors, four coined in France and four coined in England; he would, if gentlemen pleased, hand them across the table; and he would defy any gentleman, unless he knew the private mark of the French mint, to distinguish one from the other. He felt it his duty to say thus much in justification of some very meritorious public officers, who had been attacked most unjustly, and who had felt that attack most severely. He had only to repeat, that the subject adverted to in the petition was under the consideration of government, and he trusted that the result would be the adoption of some satisfactory measure as soon as possible.

Mr. *J. P. Grant* differed from the suggestion of allowing a small seigniorage upon the new silver currency, as well as the other suggestions of his hon. friend, as quite ineffective, and observed upon the difference which had taken place in the relative value of gold and silver, the latter of which was depreciated. He recommended that the value of our silver currency should be regulated by weight rather than by tale, which was the custom at present. He also advised that silver should be made a legal tender, while gold should be left to find its own value, and this he thought the best time likely to occur for making such an arrangement.

Sir *John Newport* wished to know how it happened that Louis d'ors were coined at the British mint—that we should counterfeit foreign coin.

The *Chancellor of the Exchequer* said, that the French coin had been struck at our mint, by the express authority of the French ambassador, and at the desire of the French king.

Mr. *Pole* said, that the private mark of France was not put upon the Louis d'ors coined here, but that a mark and symbol of our own had been impressed upon them.

Sir *John Newport* still thought this no better than counterfeiting a foreign coin.

Mr. *Pole* said, that no doubt the right hon. baronet was aware of the object in coining these Louis d'ors; that it was for the convenience of transmitting, for the pay of our army when they first entered France, a coin which would pass current in that country. It had been done by the express authority of the king of France.

The petition was then read, setting forth,

"That the petitioners have for a considerable time past experienced, and do now suffer, great inconvenience and embarrassment, from the imperfect state of the silver currency, and particularly from that part of it consisting of what are denominated shillings and sixpences, which constitute no inconsiderable proportion of the coin which the petitioners are obliged to receive in payment for the articles of their daily trade; that, during many years past, very few of the shillings and sixpences in currency have appeared to be of the legal coin of the realm, but, on the contrary, have borne evident marks of being counterfeits, but which, nevertheless, from the want of any thing better, have passed current; that of late there has been an immense influx of French silver coin, bearing the stamp of the French mint, which have been introduced into circulation, and passed for shillings and sixpences; and although these French coins are visibly of more intrinsic value than the counterfeits before described, the petitioners have reason to believe that their intrinsic value is from thirty to forty per cent. below the current value at which they have been circulated in this country, and that the current value of these pieces in France, at the present rate of exchange, is more than twenty per cent. below the value at which they are now circulated in England; that the temptation arising from the profit upon the importation of this coin is so great, that the quantity now in circulation is become a public and increasing grievance; and that, unless an effectual remedy to this increasing evil is speedily applied, the petitioners are convinced that the consequences will be most injurious to mechanics and to tradesmen residing in manufacturing districts, where change for payment of wages causes a greater influx of small currency than in other parts of the country; that the petitioners are informed that a considerable fall has lately taken place in the price of silver; and for this reason, and under the other circumstances above stated, they humbly pray the House to take the subject into its consideration, with a view of securing to the petitioners, and to the public in general, the advantages of a good currency in silver, consisting of sixpences, shillings, half-crowns, and crown pieces, or any other coin considered proper by the House."

The petition was ordered to lie on the table.

Bank Restriction Bill.] The House resolved itself into a committee on the Bill for further continuing an act of the 44th year of his present majesty, to continue the restrictions contained in the several acts of his present majesty on payments of cash by the bank of England. The first clause having been read, for continuing the restriction until the 5th of July, 1818,

Mr. *Horner* professed himself unwilling to make any opposition to the measure of allowing two years to the bank for preparing to return to cash payments, as such a prolongation of the term seemed to meet with the general sense of the House. It seemed to be as generally the sense of both sides of the House, that it was desirable such a protection to the bank should not be extended beyond this limited period. There was no clause, however, in the bill, as it now stood, expressive of this decided expectation of parliament and the country; but he hoped it would not pass the committee without receiving such a necessary amendment. It could not receive his support unless it came out of the committee in a different state from the other restriction acts that had formerly passed. He would oppose it in all its subsequent stages, and would take the sense of the House upon it, unless the chancellor of the exchequer introduced a clause, declaring, that while parliament extended the restriction for two years longer, it was done with the understanding that this renewal of it should be the last, and that the bank should be prepared to meet its termination with a provision of cash sufficient to answer all the demands that their promissory notes authorized the public to make upon them. Taking it for granted that this was the general feeling of the House, and that the bill would not be attempted to be carried through without an incorporation of a clause expressive of the pleasure and direction of the legislature that the bank should prepare for the event of its expiring at the time specified, he was ready to concur in its provisions. With this understanding, he had no objection to the term of two years; but if it was attempted to pass it, like an ordinary act of this kind, without such a clause, he would take the sense of the House whether its duration should be so long. Hoping for a satisfactory answer, he would abstain, at present, from farther observations: if disappointed in his reasonable expectation, he would oppose the bill in all its steps.

The *Chancellor of the Exchequer* agreed with the hon. and learned gentleman as to the policy and desirableness of renewing cash payments at the end of two years. He only wished to allow the bank facilities of doing that which they were anxious to accomplish, and which all so much desired. Two years would be sufficient time for allowing all necessary preparations to be made. The bill allotted this term, and in the preamble expressed how desirable it was that cash payments should be resumed. He was not aware that it was necessary to add any clauses to the act of 1797. Though several had been proposed, he thought none of them eligible. The restriction only protected the bank for two years, and the act of 1797 allowed them to pay their notes in specie, upon giving notice to the Speaker for publication in the Gazette. If the restriction was limited in its existence to one year, the bank, as it was the repository of bullion and coin for the rest of the kingdom, and supplied the country banks with circulating medium, might not have time to prepare for all the demands. He again repeated, that the publication in the gazette would be sufficient, and that the bank understood that the term could not be prolonged.

Mr. *Horner* was sorry to see that the right hon. gentleman intended to introduce no clause expressive of the expectation of parliament that cash payments should be resumed at the end of the two years, and its determination that no other renewal of the restriction act should take place. It was with great dissatisfaction that he observed this. What had been stated of the act of 1797, with regard to publication in the gazette, did not answer the purpose. He wished no specific direction to be given to the bank, but to leave them to enjoy parliamentary confidence with regard to the means of accomplishing the objects which they as well as parliament professed to have in view, with only a parliamentary assurance that no renewal of restriction could be hoped for. The clause with regard to the notice to the Speaker, and to the subsequent publication, allowed the bank to renew payments upon such notice. Without the publication they were prohibited from paying their notes. After such publication they could not stop, but must answer all demands, however inconvenient they might find it. After 1797 they gave such notice, and in consequence of it there were demands made upon them to a great amount, and much gold was issued, which was melted down by the jews. The proposal to pay notes of a certain amount only could be no protection, because all notes might be exchanged into this admitted class, and presented for payment. The bank, therefore, would never give notice till they were able to answer all demands created by all kinds of promissory notes. Parliament should, therefore, make a general enactment, that no renewal of the restriction act could be expected after two years, and leave all the rest to the bank. If the House inserted this in their act, it could not be neglected. He wished no injunction, as he was certain the opinion of parliament would be attended to. He (Mr. H.) had drawn up a clause which, in the enacting part, contained nothing more than that, on the 5th of July 1818, the bank should be prepared to resume cash payments, and that it was expected they should do so as long before that period as they could, consistently with the exercise of the necessary caution and prudence that the situation of the country imposed. He, therefore, would move a clause to this purport, that after the 5th of July, 1818, the bank should be able to pay in specie, and that no renewal of the restriction could be expected.

The *Chancellor of the Exchequer* thought the object of the hon. and learned gentleman's clause might be attained without its insertion. He had given notice, on a former evening, of his intention to introduce certain words into the preamble of the bill, declaratory of the intention of parliament, which he would now read to the House. He apprehended they would be found better than the clause of the hon. and learned member, which, in point of fact, enacted nothing more than what the law had already declared. After the usual words of the preamble, "that it was highly desirable the bank of England should, as soon as possible, return to its payments in cash," he proposed to add, "but it is expedient also that a further continuance in the present restrictions be granted, in order to afford time to the bank for resuming such payments in cash without public inconvenience." He did not think it would be possible to have a more distinct declaration of the sense of parliament.

Mr. *Grenfell* said, he collected from the observations of the right hon. gentleman that he wished the House to trust in his opinions, rather than in a parliamentary declaration. He (Mr. G.) was more disposed to confide in the latter than in the former; for last year, when the same subject was before parliament, the right hon. gentleman confidently affirmed that he thought the bank might resume its cash payments next July, and now, when the price of bullion was much lower, and the foreign exchanges in our favour every where, he called upon parliament to protract the restrictions two years longer. He should, therefore, prefer a parliamentary declaration to any opinion which the right hon. gentleman might offer.

Mr. *Marryat* thought that the addition proposed by the chancellor of the exchequer to the preamble of the bill, was not so authoritative as a clause introduced into its enactments, and that it was totally inefficient for the end in view. It was necessary to return speedily to cash payments. It should be recollected that peace had placed us in a different situation with regard to our foreign trade than that in which we stood during the war. In war we enjoyed a monopoly, and however high the price we demanded, we could obtain it, because we had no competitors. Now the case was altered. Other nations were claiming their share of the general advantages resulting from trade and industry, and they could enter the career without our burthens. They could afford to fabricate almost every article in which we dealt, cheaper than we. They could undersell us in the markets to which we resorted. They could manufacture cheaper than we—they could navigate their vessels for less. Out of 186 ships that passed the Havannah with cargoes for South America, not one was British. If we looked at the property connected with our commerce and shipping, we should see a lamentable and ominous depreciation. The shares in the fund of the London-docks that sold for 120*l.* or 130*l.* now sold for 70*l.* or 75*l.* The issue of paper had turned the foreign exchanges against us. This circulation had been diminished, and produced distress. He rejoiced at this diminution of the currrency, although it had been productive of temporary inconvenience; because, otherwise, we might be universally undersold in foreign markets. Our ships would be without employment—our manufacturers without work—our capital unproductive. Nothing could prevent this but the precaution of returning to cash payments.

The *Chancellor of the Exchequer* thought the opinions of the hon. gentleman who had just sat down on commercial subjects erroneous. He accounted for the difference in the value of the London-dock fund from the diminution of the warehousing system, and not from the reduced state of our trade. He repeated his statement, that the opinion of parliament would be sufficiently declared in the preamble, by the introduction of the words he had read.

Mr. *J. H. Smyth* supported the opinions of Mr. Horner, and contended, that there was no difference between the present act and that which was passed in the preceding session. It was notorious that the bank, in consequence of the former, had not taken steps for the resumption of cash payments; and could the House hope for a different result to the present measure, unless they expressed their resolution decidedly in favour of that great object?

Mr. *Bankes* said, that the bill, as it stood at present, did not, in his opinion, sufficiently express the intentions of parliament. By merely introducing the words proposed by the right hon. gentleman, it would look like nothing more than one of the ordinary renewals of the restrictions. If, therefore, there were no other reason for departing from the customary mode, he would do it, to show that the House meant something different from what they had formerly done. He wished to convey to the bank and to the public an idea that they were now in earnest. He would suggest the adoption of some such words as the following—"Whereas it is expedient to provide that the said act should be further continued, and a time fixed in which the said restrictions shall cease." These words would definitely determine the meaning of parliament, and then it might be further added—"that the said act shall continue in force till the 5th July 1818, and no longer."

Mr. *Huskisson* considered the debate of the former evening as having been productive of much good, as it had elucidated the grounds on which the bill was to pass the House. The principle which ministers acted on was not from any political views, but simply for preparing the bank to meet the demand which would necessarily be made on them. He thought it reasonable to grant them sufficient time for preparation, and was glad to see the House agreed on this general ground. The preamble had been objected to in consequence of its being virtually the same with last year's preamble, and it had been said the directors were just as sincere then in their desires to meet the public demands for cash payments as they were now. But he did not agree in the opinion of their having made no preparation for such payments, as they knew well the intentions of parliament, and consequently must have prepared. He wished some words to be introduced into the preamble, to obviate every doubt which might arise on the subject, and suggested these words be added—"To afford time to them to make such preparations without public inconvenience, for meeting the public demands, as to their experience and wisdom should seem proper, at the earliest opportunity." Some such words would meet the wishes of all.

Mr. *Horner* observed, that the preamble was generally the last thing considered, but here it was the first. He said he would not be satisfied unless the committee came to some specific decision on the subject; and he thought the clause he had proposed might be so modified as to meet every objection. He was not very sure of the words "no longer." Experience had shown that they were much to be distrusted, as containing one meaning in one session and a different meaning in another [Hear! and a laugh].

Mr. *S. Thornton* said, the directors of the bank had not so inactive a part as had been represented. They were as anxious to do every thing they could for the benefit of the public, and had been for some time past making preparations for the resumption of cash payments.

Mr. *Huskisson* observed, that the statement just made by the hon. director, was a sufficient inducement to the House to repose on their prudence and honour, and to give them sufficient time for preparation.

Mr. *J. H. Smyth* hoped, that the bank would, in their future preparations, be more successful than they had hitherto been.

Lord *Milton* said, that while the preamble of every bill expressed the desirableness of cash payments, these had never taken place. The present moment was certainly unfavourable for continuing the restrictions. A great fall in price had recently taken place, which was now succeeded by a rise, and the continuance of these restrictions would afford a strong encouragement to country bankers to issue paper. Unless the prices fell considerably beyond what they had been, trade must be curtailed. The House of Commons should speak boldly to the bank; for by merely passing the act in the same mode as last year, we were encouraging them to go on in their present career. The House should tell the bank directors it was their duty to resume cash payments, as an act of justice to the public, though attended with loss to themselves. He deprecated the present system as affording facilities to the chancellor of the exchequer in borrowing, which he could not and ought not to have.

Mr. *Grenfell* approved of the insertion of the words "no longer," in the preamble. He believed the bank directors, as individuals, were very sincere in their wishes to accommodate the public, but as a commercial body they were bound to look to themselves, and mind their profits. By the continuance of this act they gained 800,000*l.* annually, making the whole of their profits from the public to amount to 1,500,000*l.* per annum.

Mr. *Manning* said, that, as far as the question before the House affected the bank, he saw no particular objection to the insertion of the words "no longer;" but, as a member of that House, he could not assent to it, when so many political circumstances might occur to render it impolitic. He said, that it was unfair to speak of the high price of bank stock, when it was notorious that its price was lower than that of the Royal Exchange.

Mr. *Grenfell* replied, that the difference between the bank and the Royal Exchange was this: the former obtained their profits by taking advantage of a necessitous public; while the latter were a fair trading company, whose profits were the result of their industry. They had no connexion with the government, except by paying a large sum every quarter as the price of stamps.

Lord *Archibald Hamilton* said, the House was now labouring under a difficulty how to express its earnestness in this cause, in the best manner. He supported the insertion of the words "no longer," as experience pointed out the propriety of their being so inserted. The bank were long ago bound to take precautions for meeting the public demand, and he certainly thought them as much bound last year as they could be in this year.

The committee divided:

For the amendment 57
Against it 133

Majority 76

List of the Minority.

Atkins, John.
Astell, Wm.
Abercrombie, hon. J.
Althorpe, lord.
Bankes, H.
Babington, Thos.
Barham, Jos. F.
Bernard, lord.
Brougham, H.
Browne, D.
Calvert. Nic.
Cochrane, lord.
Douglas, hon. F. S.
Duncannon, visc.
Fergusson, sir R. C.
Folkestone, lord.
Finlay, K.
Fynes, H.
Gaskell, B.
Gordon, R.
Grant, J. P.
Hamilton, lord A.
Hornby, E.
Horner, Francis.
Jervoise, G. P.
Knox, Thomas.
Leader, Wm.
Lamb, hon. Wm.
Lloyd, J. M.
Lyttelton, hon. W
Latouche, Robert.
Marryat, Jos.
Macdonald, James.
Mackintosh, sir J.
Markham, admiral.
Martin, H.
Martin, John.
Milton, viscount.
Morland, S. B.
Newport, sir J.
Newman. Wm,
Ossulston, lord.
Parnell, sir H.
Powlett, hon. W.
Rancliffe, lord.
Ridley, sir M. W.
Romilly, sir S.
Sefton, earl of.
Smith Wm.
Smyth, J. H.
Talbot, R. W.
Tavistock, marquis.
Tierney, rt. hon. G.
Waldegrave, hon. captain.
Warre, J. A.
Wilder, general.
Wright J. Atkins.
Wynn, C. W.

TELLERS.

Grenfell, Pascoe.

Mr. *Horner* then moved an enacting clause, providing "that the directors of the bank should, without delay, take such measures of precaution as would enable them to resume cash payments as early after the passing of the act as in their judgment should appear practicable and safe."

The *Chancellor of the Exchequer* resisted the motion, contending, that the object would be subtantially attained by a paragraph in the preamble.

Mr. *Tierney* observed, that if the object on both sides was the same, it was of little consequence how it was attained; he thought the clause much to be preferred to the mere notice in the preamble; and if the former appeared to convey any censure, it might be altered to suit the delicate feelings of the bank directors. It was a point upon which many gentlemen were in the dark, whether the present bill was the measure of the chancellor of the exchequer for the public benefit, or of the directors for their own: he was bound to presume the former, and to believe that the directors, according to their own statement, were gentlemen only living for the purpose of resuming cash payments, and willing to inundate the country with gold in a week, if the chancellor of the exchequer would but allow them. Why, then, did they resist the clause of his hon. and learned friend which was framed to second their own wishes. Without it, the bill would be nugatory. However demure the bank directors might look, and whatever professions they might make, they seemed resolved to act in opposition to those looks and professions; they had still upon their countenances all the beautiful simplicity and innocence they had worn for the last nineteen years—always pretending to be ready to pay in gold, yet, when the time came, always finding some reason to keep their money in their own hands. He entertained great personal respect for the directors individually; but, speaking of them collectively, he could not help saying that they seemed very desirous of retaining in their hands the annual gain of 800,000*l.* Under these circumstances, what course was left but to hold over them a clause like that proposed.

The *Chancellor of the Exchequer* explained, repeating that the preamble was the fit place for the mention of preparation.

Mr. *Horner* observed upon the inconsistency of the directors, who professed to be ready to obey the orders of parliament, yet resisted most firmly all kinds of instruction. What he had heard obliged him to revert to his original opinion, that nothing would be done by the bank unless they were forced to it by the enacting language of the bill.

The Committee divided:

For Mr. Horner's clause	54
Against it	144
Majority	—90

Mr. *Baring* contended, that the decision of this question did not affect the interests of the bank of England. The directors were willing to concur in any act the wisdom of the House should deem necessary.

The *Chancellor of the Exchequer* moved an addition to the preamble of the bill, stating, that the period of two years was allowed in order to afford time to the bank to make preparations for resuming cash payments.

Mr. *Horner* begged to ask, since the directors of the bank had voted against his clause, whether the words added to the preamble would be considered by them as a direction from parliament to prepare. [Hear, hear and cries of Baring, Manning.]

Mr. *Thornton*, conceiving himself called upon, rose and observed, that no man had a right to expect an interpretation of particular words: he denied that the directors were influenced by any considerations of profit.

Mr. *Horner* was sorry that the hon. gentleman from a mistake, had given himself the trouble of repeating what he (Mr. H.) had no particular curiosity to hear. He called upon either of the hon gentlemen near him (Messrs. Manning and Baring) to answer this plain question —whether they did or did not consider the words added to the preamble as a direction from parliament to prepare to resume cash payments as early as possible?

After a considerable pause, no answer being given,

Mr. *Horner* asked, if the silence of the hon. directors was not perfectly intelligible? [Hear, hear!].

The motion was then agreed to; and the House having resumed, the report was ordered to be received on Monday.

HOUSE OF COMMONS

Monday, May 6.

Ramsgate Harbour Bill.] Mr. Manning moved the second reading of the Ramsgate harbour bill.

Sir *E. Knatchbull* opposed it. The harbour, he said, was of great utility, but there was no necessity for this bill. An hon. baronet opposite had, in 1797, opposed a bill respecting this harbour, on the ground of its being a job. This bill ought not to go to a committee. Since the year 1797, 370,000*l.*, had been expended, and yet Mr. Smeaton had thought that

17,000*l.*, were sufficient to complete the work. To pass this bill would be a breach of faith, as it regarded the resolutions of the former committee. The first bill that recognised Ramsgate as a harbour was when it was a small town, with a small harbour of its own: the estate belonging to which the shipowners had taken and retained. The income now was 18,000*l.* a year, besides which, for six months up to December the 25th last, the income on foreign ships amounted to 1,500*l.* He might therefore, assume the profits from foreign vessels at 3,000*l.* a year: making at least 21,000*l.* a year, on the whole, which was sufficient for all that was wanted. He should therefore move as an amendment, "That the bill be read a second time on that day six months."

Sir *W. Curtis* rose to defend the conduct of the directors of the harbour. He alluded to what had fallen from the hon. baronet relative to the former bill, which he again designated a job. "I" said sir William "attacked it; I rooted out that job, and a good job has taken place." He stated, that the plan on which Mr. Smeaton proceeded, was essentially wrong, and put the company to enormous expense. For instance, he mistook a chalk-hill for a rock, and it being found unfit for building on, all their work upon it was in vain. Some of the former directors had been making good jobs of it. One of them held 800,000*l.* in his hands during all the American war, but he at length died, thank God! The hon. baronet opposite might indeed talk of jobs, but did he never hear of any jobs in Kent? Did he never hear of a Maidstone gaol?

Sir *E. Knatchbull* rose to explain. He did not say a word about the Maidstone gaol; for he agreed perfectly with the hon. baronet as to the impropriety of the entire transaction.

Mr. *Baring* supported the amendment; but agreed that the harbour ought to be maintained; which, however, could be done at a less expense. Year by year the hon. baronet would come with proposals for fresh charges and duties, which might soon amount to more than it was worth while to expend on the harbour. The harbour revenues had increased from 10,000*l.* to 22 or 23,000*l.*, a year, and there were about 30,000*l.* in the funds. He heard that 15 or 20,000*l.* had been laid out in building a banqueting House and an enormous kitchen, just on the principles which the hon. baronet might think necessary in the city of London. Was this necessary to resist the waves? The money was frittered away in lavish expenditure on buildings, as any body who knew Ramsgate might see. The present means were ample, without the least necessity of throwing fresh burthens on the shipping interest. There appeared a dishonesty in the proceedings: a bargain had been made with Sandwich to except its ships from tolls. So it was with Dover, Weymouth, Melcombe-Regis, Lynn, Yarmouth, and Arundel, whose vessels were all excepted. Was this on the principle that Weymouth and Melcombe-Regis sent four members to parliament? This circumstance would be to him sufficient for his opposition to the bill. No stronger instance could be given of the defective state of the representation than the giving these particular favours to certain parts which returned members.

Mr. *Manning* stated, that Weymouth and Melcombe-Regis and great Yarmouth were exempted in the original bill, because they had piers of their own to uphold.

Mr. *Marryat* said, he should be glad to learn that Sandwich was to receive a compensation of which he had never heard before. Twenty years ago Sandwich was allowed 200*l.* a year by act of parliament. Now Ramsgate harbour and Sandwich haven lay in the same bay, and the sand was thrown into the mouth of Sandwich haven, by which it was much injured. It appeared most proper to go into a committee to consider the objections to the bill.

Lord *Archibald Hamilton* opposed the bill.

Mr. *Warre* said, that till the year 1792, the harbour had been kept up at the expense of only 5000*l.* a-year; since that time it had been in the hands of the present trustees, who were praised as economical, 10,000*l.* a-year had been at their disposal, and yet they now applied to parliament for 100,000*l.* more. The sum which they demanded would be supplied by the present income of the harbour, in five years, and if a million were granted them, the work which was necessary could not be completed in less than that time.

Sir *C. Monk* supported the bill.

Mr. *Lushington* thought there was not the smallest ground for the application to parliament.

The House divided:

For the second reading 88
Against it 91
Majority against the bill ......—3

ADDRESS OF CONGRATULATION ON THE NUPTIALS OF THE PRINCESS CHARLOTTE.] Lord *Castlereagh* rose in pursuance of his notice, to propose to the House an Address of Congratulation on the auspicious event of the marriage of her royal highness the Princess Charlotte Augusta, with Prince Leopold of Coburg. It was unnecessary, he observed, to attempt to create an interest in the minds of the House on this subject, as they had already warmly testified their feelings in the address which they had carried to the foot of the throne, and had shown their sense of the merits of the illustrious pair, by the ample provision which they had made for them, in the name of the people of England. He had now to propose an address on the completion of this happy alliance, to the Prince Regent, which he should follow up, by moving a congratulation to her majesty, and to the Princess Charlotte and her consort. He then moved "That an humble address be presented to his royal highness the Prince Regent, to congratulate his royal highness on the happy nuptials of her royal highness the Princess Charlotte Augusta with his serene highness Leopold George Frederick, duke of Saxe, Margrave of Meissen, Landgrave of Thuringuen, Prince of Cobourg of Saalfeld."

Agreed to *nem. con.*, and ordered to be presented to his royal highness by such members as are of his majesty's privy council. Lord Castlereagh then moved, That the House do congratulate her majesty on these happy nuptials.—Agreed to *nem. con.* and lord Binning, lord Apsley, lord Lascelles, lord Jocelyn, and other members, were ordered to wait on the queen with this congratulation. Lord Castlereagh then moved, that the House do send a congratulatory message to her royal highness the Princess Charlotte Augusta, and his serene highness Leopold duke of Saxe, Prince of Coburg of Saalfeld, &c. on this happy occasion—Agreed to *nem con.*, and the marquis of Worcester, earl Gower, lord Elmley, Mr. Law, sir G. Hill, sir T. Ackland, and other members, were ordered to convey this message to the Prince and Princess.

MOTION FOR A SELECT COMMITTEE ON THE CIVIL LIST ACCOUNTS.] Mr. *Tierney* rose, in pursuance of his notice, to call the attention of the House to one of the most important subjects which, in his estimation, could well be brought under its consideration. He was afraid that, in discharging the task which he had undertaken, and which he viewed as a public duty, he should be obliged to occupy the attention of the House for a very considerable time—and, what was still more unpleasant, in listening to very uninteresting and dry details. He trusted, however, he should meet with the indulgence and candour of the House. When the noble lord opposite addressed the House on this subject, on Friday last, he (Mr. Tierney) complained that he had not been treated fairly, in having a paper introduced which he had not previously seen, and of which the majority of the members were utterly ignorant. Since that period he had employed himself most assiduously in looking over that paper, and he flattered himself he had pretty well made himself master of its contents. He had still to complain, however, that the rest of the House had not the same advantage, and that they had not the paper in their hands, so that they might understand the observations he was about to make as he went on. If he had that one ground of complaint, he had also another, which was more material, and that was, that it now appeared the noble lord had not only withheld the evidence on this question, but had been tampering with the jury; for he had learnt that the noble lord had held a meeting at his own house, of those who without disparagement to others, had been considered as the most independent representatives of the people, he meant the country gentlemen, for the purpose of explaining to them the paper in question, and the grounds upon which it was to be supported. This was a course which he apprehended the House would think neither consistent with propriety nor decorum [Hear, hear!]. Such was the fact, and the only inference he could draw from it, and he believed the House would coincide with him, was, that this was a question which the noble lord thought required much private interference upon the part of government [Hear, hear!]. Though he could not complain of this course as irregular, yet the bias which gentlemen, thus pre-instructed and pre-informed would have, would be felt by every one present.

The noble lord had done him no more than justice in admitting that he thought he was actuated by the same motives as himself, in the course he was taking on this subject, and that he had no desire to withhold a proper degree of splendour from the royal family. Such was the true statement of his views; and the only difference between him and the noble lord was, as to what ought to be the real splendour of the royal family—what splendour it was consistent for the royal family of this country to maintain, considering its constitution and situation. There were two descriptions of splendour. If the noble lord only meant that splendour which was distinguishable by outward show and foolish parade, his ideas were at variance with those of the noble lord altogether; but if the noble lord meant that lasting splendour which was founded on the character of the monarch, and in the means of performing all the royal functions with propriety, the noble lord could not go beyond him in praise of such splendour. The noble lord had cast out a sneer, or insinuation, against that side of the House, that all the excess on the civil list had been attributed to the royal family for the purpose of degrading and vilifying them. Now, he (Mr. T.) had never attributed all the debts on the civil list to the royal family, but yet the noble lord had not cleared them from the charge of extravagance; for from the debates of the last year, no one could doubt that the expense was such, and there was such a determination of persevering in it, that it was at last necessary for parliament to interfere. The noble lord had stated, that for the personal splendour of the royal family only a sum of 400,000*l.* was paid by the country, besides the Windsor establishment, and he had begged the House to bear in mind what was the amount of the civil list in France. The noble lord, who, like many young travellers, had brought back all the vices of foreign countries, without any of their virtues, had been struck with admiration of the amount of the French civil list, but he had forgot the conduct of the French king in one material point. He should have remembered that his majesty the king of France, in return for the grant of the people to him, had made a liberal grant to them, and had desired their re-acceptance of a part of the civil list, on account of the state of the people of France, and by his own act had reduced his splendour. It would have been a wise measure in the noble lord to have advised the Prince Regent to send down a message to that House, renouncing a part of his civil list, thus giving an example of the economy which he had recommended; for the people had supported the splendour of the Crown, till they were hardly able to support themselves. The noble lord had spoken as if, while the country owed much to the Crown, the Crown owed nothing to the country. But the Crown must be sensible of the obligation it owed, and the present was, in his judgment, the proper time to show that sense. It was untrue that the country gained by what the noble lord called the bargain with the Crown upon the establishment of the civil list, at the commencement of his majesty's reign; for the fact was, that what the noble lord called the hereditary revenue was originally granted to George 2nd, and consisted, in great part, of taxes, which did not survive that monarch; therefore the country could not have gained by the growing produce of any existing revenue, as the noble lord intimated. The Crown was, indeed, amply compensated by the grant of 800,000*l.* a year, in lieu of this "hereditary revenue;" and the country, instead of gaining 6,500,000*l.* by the commutation, as the noble lord so confidently alleged, had actually gained nothing. Therefore the noble lord had presented a most fallacious view of the subject.

But this was not the only erroneous impression which the noble lord laboured to produce; for, according to the noble lord, the House had, truly, been rather niggardly towards the royal family. But how stood the case? He would state the sums granted to the several members of the royal family, and then leave it to the House to judge between this statement and the impression which the noble lord had in view. The allowance for the establishment of his majesty at Windsor was 100,000*l.*, his majesty's privy purse was 60,000*l.*, the allowance to her majesty was 58,000*l.*, which taken together, with the annuities to the princes, formed a total for the Windsor establishment of 280,000*l.* Now he would ask whether his majesty's situation was such as to call for such a sum as that he had stated? The House would permit him to say that in his majesty's present painful condition, this was a most enormous establishment, and that a great saving might and ought to accrue, especially upon the grant of 100,000*l.* Indeed, if there existed any disposition to economy in that quarter, which ought to feel it in the present circumstances of the country, this saving would take place, and that without delay. For, in the name of common sense, how could it be necessary to maintain four lords of the bedchamber, a groom of the stole, and other similar officers, for the use of his majesty in his present melancholy situation? How could it be necessary to uphold the expense of a court, the splendour of which his majesty was unable, among his other calamities, even to see? Such expense was indeed a burthen to the country which gave it, while it could afford no enjoyment to him for whom it was given. Why, then, did not some retrenchment take place under this head?

Now, as to the Prince Regent, his royal highness was allowed a privy purse of 60,000*l.* a year, which was perfectly unincumbered; and this he begged the House to bear in mind, because his majesty's privy purse was subject to some incumbrance for pensions. But, in addition to this, his royal highness had 10,000*l.* a year, which, together with the 15,000*l.* from the duchy of Cornwall, and 43,000*l.* from the consolidated fund, formed a total allowance for the Regent of 128,000*l.* a year. Surely, then, this sum was quite enough for his royal highness. He was aware it would be said, that a proportion of this sum was set apart for the payment of debts, no account of which, by-the-bye, had ever been laid before the House. But, however, the sum was applied, the country had to submit to the burthen of 128,000*l.* a year for the use of the Prince Regent. Then, as to the fourth and fifth classes of the civil list, which were exclusively for the purse of the royal family, they amounted to 374,000*l.* So that omitting the 100,000*l.* for his majesty's establishment, the actual expense of the Prince Regent's court to the country was no less than 512,000*l.* Such was the sum granted to support the splendour of the Regent. But adding to this the 100,000*l.* before stated, together with the allowance to the queen and the junior branches of the royal family, the whole grant to the family would be found to amount to 1,030,000*l.* So that the House must see that the allowance to the royal family of this country was nearly equal to that enjoyed by the royal family of France, with which the noble lord thought proper to institute a comparison, excepting any *apanages* which the younger branches of the royal family of France might happen to possess. Therefore, it was evident that this country could not be deemed niggardly towards the royal family; and he must be permitted to add, that in the present state of the country the House and the public had a right to look for a due return from that family, by making every practicable retrenchment—that such retrenchment should, indeed, be spontaneously and promptly made. But, independently of the allowances to the younger branches of the royal family, in which he did not mean to suggest any reduction, for he thought many of these illustrious persons very hardly dealt with, the sum granted to the Crown amounted to no less than 792,000*l.* Was it possible, then, that this country could be considered as niggardly towards the royal family?

Now, as to the estimates with regard to the expenditure of the civil list, the noble lord professed totally to disregard every estimate that had been laid before the House on the subject. They were, according to the noble lord's view, to be entirely put out of sight; and it was no wonder that the noble lord should use such language, for the civil list expenditure of the last year exceeded the estimate of 1804 by no less than 391,000*l.* Yet this estimate was brought forward by Mr. Pitt, who, notwithstanding all his ability was, it appeared from the language of the noble lord, utterly incompetent to frame any just estimate upon this subject. No estimate was, indeed, according to that noble lord, entitled to any degree of attention, but that which the noble lord himself had lately presented. He (Mr. Tierney) would, however, be glad to know, if the estimate of a statesman so able and distinguished as Mr. Pitt, were to be set aside, as the noble lord said, as worth nothing at all, what guarantee could the House have for the validity of the noble lord's own estimate? But the fact was, that the House could have no such guarantee, or any assurance whatever upon the subject, unless an inquiry was instituted by the House itself, and unless such an inquiry entered fully into the consideration of the necessary expense of every department.

He now came to that branch of the case which related to the average expenditure of the civil list, and taking the period fixed upon by the noble lord himself, it appeared that for seven years up to 1811, the annual excess amounted to 257,000*l.*; and when the droits of admiralty became insufficient to discharge that excess, it became necessary to apply to parliament. Hence a bill was brought in, providing, that whenever the excess should afterwards amount to 124,000*l.*, reference should be made to parliament; and from this provision, the noble lord now thought proper to infer, that the House recognised the justice of an excess above the estimate equal to that sum. But against the rectitude of that inference, he (Mr. T.) decidedly protested. It would indeed be recollected, that he entered his protest against such an inference, upon the discussion of the bill alluded to, with Mr. Perceval. But yet he, at the same time, prophecied that such an argument was likely to be drawn from the provision referred to, and the noble lord took care to justify his prophecy. Deducting, however, the 124,000*l.* according to the noble lord's argument, still there would be an excess of 133,000*l.* above the estimate of 1804. From the commencement of the regency, indeed, there was an annual excess of 258,000*l.* He was old enough to remember when such a fact would have created considerable astonishment and agitation in that House. Nay, even in the days of Mr. Pitt, the expenditure of 500,000*l.* would, he was persuaded, produce a stronger effect in that House than that of five millions at present; yet now, strange to say, notwithstanding the burthens and distresses of the country, some gentlemen were heard to declare, that an excessive expenditure of 258,000*l.* should not excite surprise, considering the great scale of our general expense, and even to thank God that it was no more. But was it possible that the House, bearing in mind the duty it owed to the country, could adopt such language, and treat the matter with such levity? All he wished was to infuse a spirit of inquiry into the House upon this subject. Whatever opinions he himself entertained he would not at present state. He only asked for inquiry, and his intention was to move for the appointment of a committee with power to examine persons, papers, and records. By such a course of proceeding, he was convinced, from the experience of last year, the House could alone contrive to probe this question, and ascertain the real merits of the case. Therefore, he hoped the House would adopt his motion.

It would be recollected, that when he last year made a similar motion, the power to send for persons, papers, and records was refused; but yet he consented to attend the committee appointed on that occasion, upon the express understanding, that if it should appear necessary to send for persons, papers, or records, he should be at liberty to make another motion on the subject, and he was not two hours in the committee when he was convinced of that necessity—when he saw that the professed object of the committee could not be attained without examining the marquis of Hertford and lord Cholmondeley, or at least their clerks, together with Mr. Nash. But yet his view had no effect upon the committee, and his motion in that House upon the subject was rejected. After that rejection he did not think it of any avail to attend the committee. Of what happened afterwards in the committee the House was aware. Among other singularities, a new estimate was framed for the future expenditure of the civil list, from which great benefit was promised. The adoption of this estimate, was, therefore, recommended by the opinion of the committee. [Here there was an intimation of dissent from the treasury bench]. The right hon. gentleman repeated, that this estimate was recommended by the committee. He was aware of the general warning of the noble lord, not to attend to any estimate but that which he himself had lately presented. The opinion, however, of the committee of last year was to be collected from the report, a part of which the right hon. gentleman read, to prove that their estimate was recommended to the committee. In consequence, no doubt, of the presence of some gentlemen upon that committee, an observation was introduced into the report, which served to show the miserable shifts to which the committee was willing to resort. With a view to guard against animadversions, the gentlemen of this committee stated truly, that "they did not feel themselves bound to offer any opinion upon the adequacy of the estimate, or the accuracy of its details." [A laugh, and hear, hear!]. This, then, was the salvo which this committee introduced into its report, and, he could, he thought, guess the quarter in which that notable salvo originated. But if this estimate were not meant to be recommended for adoption—if no steps were intended to be taken upon it, he would ask the gentlemen of the committee with what view it was introduced into the report? The fact was, that a bill founded upon that estimate would have been brought forward by the chancellor of the exchequer, if he (Mr. Tierney) had not protested against the proposition of such a measure at the then late period of the session. Yet this estimate was now given up. It was entirely denied both by the noble lord and the chancellor of the exchequer. They now appeared to be ashamed of their estimate of last year, and the House would not be surprised, if he thought that the noble lord's estimate, of which they were not yet ashamed, was such as ought not to be adopted, although the latter was reduced below the former by no less than one-half the excess of 1811. Thus material was the difference between the noble lord's present estimate and that presented eight or nine months ago. Whence this reduction? Nobody called for it. Perhaps ministers were struck by the same spirit which had lately appeared in the estimate for the ordnance and the army. Possibly the thought of reducing this estimate occurred to their mind upon the night the property tax was rejected. Thence probably it was deemed expedient to adopt a new system, and to abandon the estimate of last year. When he proposed last year to send for persons and papers, with a view to an effectual inquiry into the expenses of the civil list, he was resisted upon very lofty grounds—he should rather say pretences. It was stated, that it would be an outrage to the feelings of the royal family to inquire into their private affairs —that it would be an offence to the royal family to pry into such matters—that, indeed, such a proceeding would be quite unprecedented. Yet how had the noble lord's estimate been framed? Upon what grounds was it drawn up? If that House determined upon appointing a committee to form an estimate of this nature, and it were proposed that such committee should consist of the paymaster of the forces, the surveyor of woods and forests, and a secretary of the treasury, how, he would ask, was such a proposition likely to be received? Would it not be deemed, with due deference to those gentlemen, a most impudent proposition? Would not such a proposition decide the judgment of the House as to the object in view? Would the attempt of ministers to select three of their own officers to inquire into the means of reforming the expenditure of the civil list be conceived to imply any real disposition to reform? It was impossible that any such inference could be drawn by any persons out of the purlieus of the treasury. Such an inference would, indeed, be deemed an insult to the common sense of the House. Yet what was the fact with regard to the noble lord's estimates? Why, that it was drawn up by the very three gentlemen to whom he had alluded. With regard to the estimate itself, he had no means of knowing whether it was drawn up on speculation, or after any inquiry into those affairs any approach to which, by a committee of that House, was last year so loudly deprecated. All he knew of last year's estimate was, that it appeared in the report of the committee. By whom drawn up he could not say. Perhaps it dropped from the clouds, and on what grounds it rested he could not say. The House was also to learn upon what grounds the noble lord's estimate rested; and therefore he hoped such an estimate would not be adopted without instituting an inquiry—without examining all persons and documents competent, to afford satisfactory information upon the subject. The noble lord left out in his estimate certain occasional payments. The estimate consisted of two columns, the one stating the sums to be hereafter omitted in the civil list; the other, those sums which were to be retained upon that establishment. But notwithstanding these omissions, this estimate set down the future civil list expenditure of 1,110,000*l.*, which formed a considerable excess above that of 1811. Still this estimate was less by 42,000*l.* than that of last year.

After adverting to the items in which this reduction took place, the right hon. gentleman particularly animadverted upon the amount of the third class of expenditure, namely, that with regard to foreign ministers. It was in consequence of the amount of this head of expenditure, that the noble lord said that he thought it more proper on his part to stand forward as the mover of the new arrangement, than leave the task to his right hon. friend the chancellor of the exchequer. It was therefore that the noble lord professed himself willing to stand between the Crown and the country, to meet the responsibility of this expense; and certainly it became the noble lord to do so, for he had contrived to impose a greater burthen upon the country in appointment of and allowance to foreign ministers than any secretary for foreign affairs had ever done before. But yet he would be glad to know upon what grounds the noble lord had thought proper to make a reduction, even in this head of expense, since the estimate of last year? According to the letter of Mr. Hamilton, the under secretary for foreign affairs, a certain proposition was made to the committee of last session, recommended, as the writer stated, by the opinion of the noble lord. This proposition related to an increase of the salaries and allowances to foreign ministers, namely, 12,000*l.* a year salary, and 6,000*l.* for outfit. Yet, by the noble lord's present estimate it was proposed to reduce the salary to 11,000*l.*, and the outfit to 4000*l.*; and possibly if the noble lord brought forward another estimate next year he would make a further reduction. Perhaps he would be contented with a salary of 10,000*l.* a year.—Mr. Tierney called upon the House to consider this reduction. If it stoutly rejected the noble lord's spontaneous offer of 1,000*l.* a year, it was not improbable that he would add a thousand more. Thus the House might obtain a reduction of 2,000*l.* instead of 1,000*l.* But, seriously, he would ask, upon what grounds did the noble lord offer so much less this year than he recommended through Mr. Hamilton in the last? Now, as to the expense of special missions, which under the noble lord's administration, so much exceeded all former precedent, it appeared that the expense of the noble lord's own missions to Paris and Vienna for the years 1815 and 1816, amounted to only 43,809*l.* which, added to his official salary of 12,000*l.* formed an annual expenditure for these two years of no less than 55,809*l.* 10*s.* The noble lord might have thought it expedient to live with great splendour in order to maintain his ministerial influence, but in his (Mr. T.'s) opinion, that influence would have been effectually supported by doling out large sums to those who wanted it, had the noble lord been clothed in sackcloth and ashes, and lived upon onions. [A laugh].—For the persons with whom the noble lord had to deal, looked not for what he spent, but for what he could lend; and the money he could dispose of in that way would have served his purpose better than all his feasting and waltzing. [A laugh].—Yet the noble lord upon this subject said to the public, "do not look at my royal master, but at me." He (Mr. T.) no doubt admired both; but the noble lord's style of living on the continent eminently entitled him to the admiration and astonishment of the whole country. Then as to the expense of lord Stewart, in his special mission, it amounted to no less than 24,000*l.* which, added to two thousand pounds a year from his commission as general on the staff, brought the coadjutor nearly to a level with the principal. Lord Cathcart's receipt was, however, still higher, almost indeed upon a level with that of his master. Surely, then, such expenditure called for inquiry [Hear, hear]. But to return to the difference between the estimate of last year and that of the noble lord, there appeared a reduction not only under the head of ambassadors, but that of consuls also, the expense of whom was reduced from 40,000 to 30,000*l.* Thus there was a difference of 25 per cent. within the period of eight or nine months. With such a variation in view, how could the House attend to such a witness? How could the House depend upon the noble lord's judgment in forming any estimate? [Hear, hear!].

With respect to the fourth class, which comprehended the departments of the lord chamberlain, the lord steward, and the master of the horse; he did not mean to dwell upon the latter, not only because it was not so considerable, but because there was something in that officer's department to gratify the country—there was something national and manly in encouraging a fine breed of horses. This department was therefore far superior, in his consideration, to those which consisted of nothing but mere eating and drinking—mere trappings and furniture. In the noble lord's estimate, he observed, that it was proposed to grant 85,000*l.* for the lord steward's department, which, by the way, was a considerable falling off from the estimate of last year, which proposed 96,000*l.* How came this difference? Did lord Cholmondeley suggest it? Did that noble lord ask for 85,000*l.*? In his opinion, that noble lord asked for neither the one sum nor the other. This indeed he had no doubt would be ascertained upon the inquiry which he proposed. It was impossible that the lord steward should ever demand such a sum for the maintenance of the Prince Regent's court. This officer had, it would be recollected, an allowance of 105,000*l.* for the maintenance of his majesty's court. But his majesty had several tables in town for the supply of the junior branches of the royal family, for equerries, &c. besides his establishment at Windsor, while the Regent kept a table only for his own family, with a table for his pages. The difference of expense was, therefore, most material, and the proposed allowance for the lord steward's department was comparatively enormous. Such a circumstance, then, loudly called for inquiry, for the proposed establishment exceeded all rational calculation. The reason why that retrenchment had taken place, he believed he could satisfactorily explain. It would be seen, by referring to the estimates of last year, that 96,000*l.* was the sum which the lord steward was required to spend, and very diligently, no doubt, that officer endeavoured to obey his instructions. But all would not do, for it appeared from the return of the actual expense of the quarter ending October 10, 1815 (he spoke of that quarter, because the two preceding ones he had not yet obtained), that there was a saving of 5,000*l.* in spite of all his efforts. That was a sad falling off; so the next quarter he resolved to bestir himself, finding he was getting so much to leeward. [A laugh]. Every thing happened to be in his favour. The Christmas festivities at Brighton were conducted upon the most liberal scale; the utmost endeavours were made to collect visitants from all quarters, many members of that honourable House lent their assistance, and a sharp easterly wind set in on purpose, as it were, to give an edge to their appetites [A laugh]; and yet, with all those auxilliaries, the lord steward could not get beyond 1,000*l.* more than what he had spent the preceding quarter. If, then, the unfortunate savings of the two quarters were added together, it would be found that there were nearly 10,000*l.*, through which they could not contrive to eat their way. Hence arose, no doubt, the economical zeal of the noble lord, from an absolute despair of being able to squander any more. But what ought to be the reflections of the House upon that point? They saw that estimates were formed upon the most extravagant calculations, without any regard to the real necessities of the civil list; and he would venture to affirm, that if 10,000*l.* were lopped off voluntarily by ministers, it would appear, from investigation, that 20,000*l.* more might be deducted, consistently with all due splendour and abundance to the royal table, even from the reduced estimate of 85,000*l.* Those deductions had nothing to do with the expenses incurred for the Princess Charlotte of Wales. He would pass them entirely over, though he must say that he saw certain articles charged under that head, which he could not comprehend. When he considered the retired life led by her Royal Highness, he was at a loss to conceive how they could be incurred. Not only did she live without any show or ostentation, but absolutely in the utmost degree of privacy. It was sufficient, however, for him, to show that the estimate of last year, in the lord steward's department, was greater than could be expended, and also that the estimate for the present year was larger than that required for 1814.

He should next consider the fifth class, or the lord chamberlain's department. Last year that amounted to about 45,000*l.* for the mere expenses of the royal residences, exclusively of various heavy charges of other denominations. Now it was estimated at 40,000*l.* including St. James's and Kensington Palaces, Kew, Hampton Court, Carlton-house, &c. Of that gross amount no less than 20,000*l.* was absorbed by Carlton-house alone [Hear, hear!]. He was aware the estimate mentioned Carlton-house, and "the other residences of the Prince Regent." But, in point of fact, the Prince Regent had no other residence than Carlton-house which could be charged upon the civil list. Brighton was a private property. Now, would any hon. member who heard him believe it possible, that a sum of 20,000*l.* could be required, from year to year, merely for the purpose of supplying Carlton-house with furniture? Let the House recollect also, what enormous sums had been expended during the last three years for the same purpose, and then he would ask, whether there could even be any room in Carlton-house where any additional furniture could be put? Plate, linen, glass, every thing which the wit of man could fancy, or in which the most profuse extravagance could indulge, had been accumulated during that period, and yet they were now to be called upon to vote 20,000*l.* more for the same purpose. Nay, he did not know whether even more than that 20,000*l.* was not appropriated to the expenses of Carlton-house. There was an estimate of 10,000*l.* for contingencies, a considerable portion of which he believed it very probable, would be spent for the same object. And let the House bear in mind, that in addition to all that, it appeared upon the face of the report, that 30,000*l.* were voted last year for furniture, which was still in store. Now, what were the expenses of that branch of the lord chamberlain's department during the seven years from 1804 to 1811, when St. James's, Kew, and Kensington Palaces were regularly occupied? The average was nearly 3000*l.*, but then the dukes of Cambridge and Cumberland resided in St. James's palace. At this present moment, Kensington palace was occupied by two of the royal dukes, the duke of Kent and the duke of Sussex, and only about 125*l.* per annum were laid out upon that residence. He was aware that 300*l.* were placed in the estimate, but in point of fact, the disbursements really made were not sufficient to pay for the repairing of a single pane of glass, if required. He knew from his own knowledge that not only splendour was wholly out of the question, but that actual conveniencies were neglected. And why was all that parsimony to be enforced in those instances? From motives of economy? Certainly not. The object was to diminish the gross amount of expenditure, in order that the particular expenditure of Carlton-house might be enlarged [Hear, hear!].—Then, with regard to the establishments at Windsor and the queen's palace. Their average expense during the seven years before referred to, was about 11,800*l.* and yet he believed there was no want of sufficient dignity and splendour about the royal person. Now, 20,000*l.* were to be voted for one house alone, which, in point of size, might almost stand in the centre of Windsor castle. If such waste and extravagance were sanctioned, it would be mere mockery to talk of economy. During that interval, however, there was no want of royal magnificence. Installations were held, suppers and fêtes were given, and many entertainments indulged in, which he apprehended were quite as gratifying, and somewhat more so, in the public estimation, than some that have lately been exhibited. He declared he could not comprehend how 20,000*l.* a year could be expended upon furniture for Carlton-house, unless, indeed, every year there was to be alterations and changes to follow each frivolous variety of fashion. If such was to be the practice, then he was willing to admit that 20,000*l.* would not be sufficient; but if, being once furnished, it was to continue so, for a certain number of years at least, according to the custom heretofore, then he believed most conscientiously that 10,000*l.* would be found more than enough. Perhaps he should be told of the "other residences of the Prince Regent;" but he would repeat, not only that Carlton-house was the only one which could be justly charged upon the civil list, but that, in point of fact, his royal highness had no other residence, strictly speaking. Would the noble lord talk about the cottage in Windsor great park? That was no residence of the Prince Regent. It appeared sometimes in the public prints (a good authority in such a case, for a person filling his distinguished station could not move about without being noticed), that his royal highness passed two or three days there occasionally, and that was all. The great lodge, in Windsor park, was no royal residence, for it was at present occupied by Mr. Nash, and Cranbourne lodge was now empty, though he hoped it would become the residence of her royal highness the princess Charlotte. Such, then, was the state of the lord chamberlain's estimates, so far as regarded Carlton-house. As to the board of works, though nominally under the lord chamberlain's direction, it was practically under the control of parliament, and therefore he was not so jealous upon that subject, because there would be no difficulty at any time in setting matters to rights in that branch. Upon the whole, it was his firm and deliberate opinion, that if a thorough and full investigation into the expenditure of the civil list were adopted, savings to a very considerable amount (he would not specify any sum) might be obtained. He had frequently said in that House, and he would say it again, that there were too many public officers attached to it. There were too many lords of the bedchamber—too many equerries—too many grooms [Hear, hear!]. Yet he was not for curtailing the splendour of royalty. The lords of the bedchamber appointed about the person of the King were mere sinecures, and those about the Prince Regent were not much better; for where there were twenty drawing rooms held by his majesty there was not one now. It would be said, perhaps, that these were unpleasant things to discuss. They might be so. But the country was also in a very unpleasant situation; and he did not see how the latter could be relieved without such discussions as the former.

The next point of the noble lord's speech that required to be noticed, was the new mode of regulating the civil list, and the manner of carrying that regulation into effect. In the quarter ending October, 1815, the marquis of Hertford had made a return to the treasury precisely in the terms directed by the warrant of the Prince

Regent. But why was no return made in the same manner for the ensuing quarter? He had repeatedly inquired for that return. At first the chancellor of the exchequer talked about the expenses at Brighton as a cause of the delay; and then the noble lord, taking up the matter, refused to produce the return, because he (Mr. T.) should not be permitted to go into the question by piecemeal, but should wait until the great day of explanation arrived. That day arrived last Friday—and what was the fact? The marquis of Hertford did make a return to the treasury, and he included in that return the expenses of the Brighton establishment. The treasury refused to accede to those expenses, and the marquis of Hertford in his turn, refused to make any estimate at all. Now, if such things were to be allowed, what security was there for the public? If the lord chamberlain might include items of expenditure which the treasury would not allow, and upon that denial, if the lord chamberlain might refuse any estimate at all, there was an end of those salutary provisions which the legislature had enacted, with the intention of controlling the civil list. The fact however was, ministers knew that the marquis of Hertford was their master, and they did not dare to face him [Hear, hear!]. He said that without fear of contradiction. And why did he say it? Because the treasury were about to appoint an inquisitor over the marquis of Hertford, to do that which they could not do themselves. That inquisitor was to have the power of examining the marquis of Hertford, and others upon oath. It seemed somewhat odd, indeed, that such an authority should be granted. He was not much of a courtier himself, but he should have thought a courtier's word might be taken. They, however, who knew the character of a courtier best, seemed to think otherwise. But what was the effect of that new system? In his opinion, the whole essence of the civil list was destroyed by it. How was he to know whether the said inquisitor would not be as much under the influence of government as any other individual? It might be said, that he was to hold his situation for life. True; but that was no adequate security in his estimation. He was to do that which the law, by the operation of Mr. Burke's bill threw upon the treasury. And why could not the treasury do it? Because ministers had condescended to take office upon the terms that the lord chamberlain's office should be beyond their control [Hear, hear!]. They sacrificed those honourable and independent principles upon which alone a minister ought to accept his situation; they came into office with their hands tied up on that particular point; they surrendered their privileges for the sake of office, and now the result of their conduct became visible [Hear, hear!].—What was the nature of the dispute between the treasury and the lord chamberlain with respect to Brighton? He had asked, and asked in vain hitherto, though he hoped to get at it some day or other, by a copy of the correspondence which passed between lord Liverpool and the marquis of Hertford. Whenever that correspondence should be brought to light, he was much mistaken if it would not disclose some very curious particulars. But on the 23d of February a Treasury Minute* was entered, and that minute would prove to the House the nature of the

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* Copy of Treasury Minute, dated 23d February 1816:

"My lords are of opinion, that towards making good the deficiency of the civil list on the 5th January last, the 3 per cent. stock now standing in the names of Mr. Harrison and Mr. Litchfield, and which was transferred to them as trustees for the Crown in virtue of a sign manual warrant of 24th August 1815, the same having been decreed to his majesty in right of his crown, as the undisposed residue of Troutback, esq. deceased, who died without heirs, should be sold, and the proceeds of such sale paid into the exchequer to the account of his majesty's civil list revenues. My lords are also of opinion, that it is right and proper that out of the droits of the Crown such a sum should be paid into the exchequer to the account of his majesty's civil list revenues, as, together with the sum to arise from the sale of the stock before mentioned, will be fully sufficient to discharge the estimated amount of the deficiency of the civil list to 5th January last.

"The earl of Liverpool and the chancellor of the exchequer having also represented to the board, that his royal highness the Prince Regent has made considerable additions to his residence at Brighton, his private property, both by additional buildings and by purchase of land to annex thereto; they are of opinion, that it is just and reasonable that an aid proposal made by the marquis of Hertford to the treasury. It was, that additions in buildings, additions in land-purchase, and additions in furniture, having been made to the pavillion at Brighton, the expense should be defrayed out of the civil list. The treasury rejected that proposal, indeed, but they compromised the matter, and came to a resolution of applying the droits of admiralty for that purpose [Hear, hear!] If ever a case came before parliament which must undergo a thorough and complete investigation, it was the present. Some observations naturally suggested themselves upon the manner in which that paper had been returned to the House. It had always been the practice, when there was a deficit in the funds of the civil list, to apply all the resources of the Crown to meet that deficit; and if they were found insufficient, then to apply to parliament for aid. Now, how did the facts stand? Last year that House had granted 534,000*l.* to cover the excess in the expenditure of the civil list, and at the very moment when ministers came down to parliament, and called upon them for that vote, they had in their hands 493,000*l.* of the droits of admiralty [Hear, hear!] No wonder the noble lord wished to fight off the question of the droits of admiralty as long as he could. No wonder that the account was carefully withheld from the House to the last moment, and only disclosed at last when the noble lord was compelled to refer to it. But why was not the circumstance stated as usual? Why were not all the available revenues of the Crown applied to the debts of the Crown, before the country were encumbered with them? Why were the droits of admiralty so studiously kept in the back ground? For other purposes, he would venture to say, than what appeared upon the face of the transaction; and if an inquiry was granted, things would come out which would astonish the country. The treasury minute proceeded to state, that his royal highness the Prince Regent having considerably added to his residence at Brighton (private property be it remembered) it was but reasonable that some assistance should be afforded him towards defraying the expense, and therefore they directed that a warrant should be issued for applying 20,000*l.* out of the droits of admiralty [Hear, hear!]. But would any man endure to be told, that the droits of the Crown might be made over to increase the private property of any individual, however high or exalted his station might be? If such a practice could be permitted, what was to prevent the selling of those droits, or the raising money upon them and putting it into his own pocket? And let it be observed, that the advance was only towards defraying the expense. Who could doubt that a great

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should be afforded out of the said droits, to the privy purse of his royal hignness the Prince Regent, towards the discharge of the expense incurred by his royal highness in making these additions to his residence at Brighton, his private property; and they are therefore pleased to direct a warrant to be prepared and submitted to his royal highness the Prince Regent, for issuing to the right hon. J. M'Mahon, the keeper of his privy purse, the sum of 20,000*l.* on this account.

"The earl of Liverpool and the chancellor of the exchequer having also represented to the board, that an expense has been incurred in providing furniture for the additional buildings at Brighton; and it appearing to my lords that it could not have been in contemplation that the extraordinary expense of furnishing these additional buildings belonging to the residence of his royal highness the Prince Regent at Brighton, as his private property, should be a charge upon the civil list; they are of opinion, that a sum not exceeding 50,000*l.* should be appropriated out of droits, to discharge these expenses: but as this furniture, though not provided through the department of the lord chamberlain, must be considered as belonging to the Crown, they are of opinion that the account of the expenses actually incurred should be submitted to the examination and control of some person or persons to be appointed by this board, and that no bill should be paid which should not be deemed by such person or persons to be just and reasonable; and that the person or persons to be appointed to this service should make out an accurate list or inventory of the whole of the furniture so provided, or of any other furniture not paid for out of the same private funds as the buildings, in order that the same may be lodged in the office of the lord chamberlain, and that the furniture may be taken under the care of that department, as furniture belonging to the Crown.

"Prepare warrants accordingly.

(Signed) "C. Arbuthnot.

"Treasury Chambers, May 3, 1816."

deal more would be incurred before the transaction was at an end? But he should be told, perhaps, that this 20,000*l.* was not out of the pockets of the people. He denied that. It was a direct loss to the public, and he would tell the House how it was a loss. They gave 50,000*l.* a year to the Prince Regent for an indefinite period to enable him to pay off his debts; and if he had applied that 20,000*l.* towards the latter object instead of the former, which under all the circumstances of the case, he could not help thinking would have been more decorous and prudent, the public would have come to the redemption of that 50,000*l.* so much the sooner. The treasury minute then went on to represent, that a considerable expense having been incurred in furniture, at Brighton, 50,000*l.* should be granted out of the said droits to meet that expense [Hear, hear!]. Really it might have been thought, when 534,000*l.* were voted last year, for covering the excess of the civil list, a vote which, contrary to all former precedent, had not produced even a message of thanks from the Crown, his royal highness would have been tempted to live within such limits of moderation as would have saved the necessity of another grant. It could hardly have been expected, that he would immediately go down to Brighton and consider how much he could possibly expend, and contrive to lavish so enormous a sum as 50,000*l.* merely on furniture [Hear, hear!]. The treasury to be sure, took some sort of security for the country, which was almost disgusting to mention. The furniture was to be put into the House at Brighton, but it was to be recognized as the furniture of the Crown. In his conscience he believed there never was a more coarse transaction, as affecting the character and feelings of his royal highness. Thus had come to light the application of no less a sum than 70,000*l.*, as resulting from the deficient estimate of the lord chamberlain: and thus the history of that estimate was at once disclosed. A scale of extravagance was indulged in such as could never be sanctioned by that House. He lamented that his royal highness was surrounded by advisers who precipitated him into such profusion. At his time of life something different ought to be expected. But there were those about him who encouraged and promoted those wasteful and frivolous projects. He did not mean to accuse ministers of doing it. For their own convenience even they would abstain, though he was willing to allow that they acted from more honourable motives. It was impossible, however, that things could continue to go on in that course. It was impossible it could be tolerated, that, year after year, the public money should be so squandered, for the droits of the admiralty were public money [Hear, hear!], without some check being provided. Would the noble lord presume to say that the 50,000*l.* for furniture was really necessary? He would not maintain so monstrous a proposition. No one, indeed, would maintain it who had ever been at the Pavilion at Brighton. It appeared, however, that 207,000*l.* of the droits of admiralty were still in hand, and he would say, that no time ought to be lost in taking care that that sum should not be paid for private purposes [Hear, hear!]. It was owing, in fact, to the House of Commons, for they had been deceived into a vote of money, which they had no business to grant while those droits remained unappropriated. That money ought to be repaid to the public, or employed for some public purpose. It was in vain, however, to hope that any thing could be effectually done without the appointment of a committee, who should examine all the transactions relating to the civil list, and to whom should be referred the question of the admiralty droits.

He would beg leave, before he sat down, to advert to the prospective arrangements of the noble lord. The noble lord proposed to detach the uncertain charges from the civil list, and bring them by annual estimates before parliament like the sums voted for the other branches of public service. Mr. Tierney said, he had reflected a great deal on this subject, he had examined it, in all its bearings, and he was disposed to give it as his opinion, that the best plan that could be adopted was, to vote an entire sum, that might, upon an estimate formed by a committee, upon mature examination, be thought sufficient to answer all demands. It looked well in theory to say that estimates would annually be laid before parliament, and that thus a system of checking extravagance would be annually enforced, but in practice it would be found not so eligible. Ministers could make out their own case: they might conceal from the House many of the reasons on which these estimates were grounded; and they might choose a period of the session for bringing forward their measures, when there were few to check their extravagance. The House, too, it should be recollected, was very unfit for discussing minute details; and the estimates must necessarily embrace such details: a committee above stairs was alone competent to such inquiries. Besides, he considered it as essential to the splendour of the Crown to have the control of the sums allotted for its support—the distribution of that amount of pensions and allowances which parliament should think it becoming to set apart for its disposal: that amount should neither be excessive nor parsimonious, but, when fixed within proper limits, should be left at discretion. No man could be more inclined than himself to vote a liberal, though not an extravagant sum. Let the House go into the committee for which he rose to move, and he would demonstrate his liberality [Hear, hear!]. Another part of the noble lord's plan regarded the creation of an officer for auditing the accounts of the household, and in the policy of this, he could as little agree as in the former. The House were gravely told by the noble lord, that no man who had the interest of his country at heart would wish to degrade the Crown in the eyes of Europe. But he (Mr. Tierney) would ask, what view must foreign princes or foreign nations take of our prince? What opinion must they form of him when they were told that he could not go to a single fruit shop, for the most trifling article, without the sanction of the lord Steward and lord chamberlain, and without its being shown to the treasury? But had the proposition of his royal highness being so fettered, been made by him (Mr. Tierney)—had he presumed, as the noble lord had done, to tell the prince, that so far he should go and no farther, there was little doubt but that he would have been instantly charged with endeavouring to lessen the respectability of the Crown, and to vilify the Prince [Hear, hear!]. He remembered well the very great pain his royal highness felt at the introduction of Mr. Pitt's bill, to regulate his conduct when a very young man. But it should seem the administration of the present day had the good fortune of making their regulations more paltable, and that the prince received them with a very good grace [Hear, hear!]. At the former period, he (Mr. Tierney) had access to know what were the feelings of his royal highness—now it was the province of the noble lord to tell what his wishes were. Should the noble lord ever go abroad again to those annual conventions held professedly for the peace and security of Europe which he hoped never would be the case, it would sound odd to the royal personages into whose society he might happen to fall, to tell them the restraints under which his regulations had laid the household of his royal master. Mr. Tierney said, he deprecated the idea of this application being made to parliament, as it had invariably been found, that whenever parliament had been so indulgent as to grant any aid, that aid had always been urged as a reason for procuring more. The day was not far distant—it was in the nature of things probable that it could not be far distant—when the House would be called on to make a new arrangement for George the fourth, and he therefore thought it would have at least been proper in the Prince and his advisers, to have remained satisfied for a little longer with the present arrangement. But if the House were now, in consequence of what had fallen from the noble lord, to regulate their proceedings by the bill to be brought in, it would demonstrate in the clearest manner, that in all their proceedings they acted more from deference to the minister than from respect for the public purse, or the feelings of the people of England. They had, indeed, already shown too great attention to the wishes of the minister. He trusted that the deference they had shown in former days would no longer exist. He trusted the House would once more vindicate its own character, and prove to the people of the country, that its desire for practical economy would no longer be confined to a mere wish or a few words, but would now be shown by deeds. The people had a right to expect economy; they now loudly called for it, and he implored the House to take care how they slighted the voice of an oppressed and insulted nation. [Hear, hear!]. Aware of the very great length he had presumed to intrude himself on the House, he had to apologise for the time he had occupied [Hear, hear!]. He had abstained from strong expressions as much as possible, and he was not sensible of having indulged in any improper warmth of temper. There might have been phrases in his speech, however, which were capable of being twisted into a violent and abusive meaning, and in this shape carried to the royal ear. He did not think the noble lord capable of such baseness but it might nevertheless be done, and he himself be represented as a person disposed to degrade royalty and to vilify the Prince Regent. He cared not for these imputations. They were more than counterbalanced by the consciousness of his having performed his duty. He could not have forgiven himself, after having attacked the salaries of a few poor clerks in the public offices, if he had not brought forward a measure that was to contribute to repress royal extravagance.—The right hon. gentleman concluded a most able speech with moving " That a select committee be appointed to take into consideration the several accounts and papers which have been presented to this House, relating to his majesty's civil list, with power to send for persons, papers, and records." If this motion was carried, the right hon. gentleman expressed his intention of moving " That it be an instruction to the said committee to report on the question of the droits of admiralty."

Lord *Castlereagh* rose to examine some of the statements of the right hon. gentleman. He trusted the House would indulge him with a few observations. Although he did not mean to follow the right hon. mover through all his details and reasonings, he would touch upon a few of the points of his speech. The right hon. gentleman professed himself disposed to support the splendour of the Crown, and promised, if he made one of a committee on the civil list, to show his liberality; but he was not disposed to draw a very favourable omen of this disposition from the tenour of the right hon. gentleman's speech. He never heard a speech less conciliatory, or more calculated to inflame any jealousy that might exist of royal expenditure. More partial statements, more incorrect accounts, more unfair inferences, he had never heard. He would advert to some of the right hon. gentleman's misrepresentations, although he wished to turn his back upon every thing calculated to inflame, for the purpose of making some observations in which all could concur. The right hon. gentleman sat out with a misrepresentation, in saying that he (lord Castlereagh) had on a former night complained, on the part of the sovereign of this country, that our civil list was not so great as the sum dedicated for the same end in France. He had only mentioned the circumstance as an answer to the clamour of those who saw every thing extravagant that was done by our royal family. The right hon. gentleman might have spared his observations with regard to the sum allotted for the junior branches of the royal family. Their number did not depend upon the will of the Crown, or of ministers, but was a dispensation of Providence over which they had no control. Ministers were not to blame for this expense, and nothing should be put down for the splendour of the Crown but the charges of the 4th and 5th classes, together with the privy purse; and they, instead of amounting to 500,000*l.* did not exceed the sum he had mentioned, namely, 409,000*l.* It was impossible, likewise, for the Crown to control those charges that arose from the malady of the King. The right hon. gentleman had two ways of dealing with questions of this kind, both of which he had applied on the present occasion. He, on the navy estimates, moved to send them back without going into the committee, simply on a view of their *primâ facie* extravagance; and he now proposed a committee on the civil list, while he still threw the responsibility of making estimates on ministers.

The noble lord observed, that he would now proceed to direct the attention of the House to a comparison of the excess on the civil list, for the last four years, with the average excess for the seven years ending in 1811. Upon the third class, involving the expenditure of the foreign department, and the ministers employed abroad, there was a total increase during the last four years of 169,000*l.* He was not prepared at that moment to explain or justify all the items of which this aggregate amount was composed; but in point of general heads of expense it must necessarily explain itself upon a reference to the state of Europe, and the circumstances of this country during the latter period. For the seven preceding years we maintained little or no intercourse with the continental powers: at present, independent of the special missions which had been supported, we had eleven in different parts of Europe. On the 4th and 5th classes the entire increase was 184,000*l.*, or a joint excess under these two heads of 46,000*l.* per annum for the four years. With regard to the details of these departments, he would remind the House that it was already in possession of minute and ample information. The House had before them the reports of five committees, and he could hardly conceive that the voluminous accounts which had been presented by them required the aid of any further inquiry. If the subject was not well understood, it certainly was not because it had never been investigated, or because there was any want of information. It certainly did appear to him that the right hon. gentleman was giving very improvident counsel, when he endeavoured to persuade parliament to call on the Crown to perform impossibilities, or to regulate its expenditure uniformly by the same limit. If such a principle were adopted, he was sure that in practice it would be found necessary to add not less than 250,000*l*. a-year to the civil list, the effect of which must be as an invariable limitation to make the Crown too rich at one period and too poor at another. An entire debt had grown up for the last four years of 900,000*l*., but it would be easy for him to show that this excess had been created for public purposes, and that the additional expenses of the household had been incurred only by the equipment of the regency without which there would have been a reduction.

He should concur with the right hon. gentleman in throwing out of his view the sum of 120,000*l*. for the establishment at Windsor. The difference in the accounts for the last year would be found, then, to consist in the first class of a sum of 14,000*l*. for the expenses of the royal family. The second, from which the judges and public officers were paid, remained the same. To the third he had already adverted, and should have an opporunity of giving the fullest explanations with regard to it. On the fourth there was a reduction of 25,000*l*., which was in some degree balanced by an excess in the fifth class of 21,000*l*.—In the sixth there was little difference; the seventh and eighth seldom varied: and on the ninth, there was an increase of 36,000*l*. On the whole, there was a diminution of the expenses, merely household, below the average of the seven years ending in 1811. The difference between the present estimate and that of the last year proceeded from the preceding estimate being framed on a different view of the expenditure abroad, rendered necessary by the critical situation of affairs in Europe. One part of this alteration was incidental to his own department, and arose from the new principle which it had been thought by the House desirable to adopt in regulating the salaries of our foreign ministers. It had been deemed expedient to new-model their allowances, and to convert them into a nett sum, clear of all charges and deductions, which should be adequate to the support of the rank they held, and the functions which they had to discharge. Some regulation was likewise intended in the office and fees oft he consuls.

The supposed reduction in the lord steward's department of 85,000*l*. instead of 96,000*l*. appeared to be misunderstood by the right hon. gentleman. The estimate under this head remained unaltered, and the apparent difference arose from the present estimate not including the expense of the royal gardens. There was no truth in any of those sweeping observations which ascribed a greater degree of splendour and expense than was necessary to the exalted situation of the person exercising the functions of sovereignty; nor would they be borne out by those who had had the most frequent opportunities of remarking on that subject. Neither was there any more foundation for saying that all public business was transacted at Carlton-house, or that there alone it was necessary to maintain a dignified establishment. The services both of the lord steward and lord chamberlain were often requisite at Brighton. The right hon. gentleman had not alluded fairly to the sum set apart in the lord chamberlain's office, in order to meet future contingencies; the true view was, first to look at what was the amount required for the due maintenance of that department. The right hon. gentleman had inveighed against the wanton profusion which he asserted to prevail in the royal residence at Brighton; and had intimated his opinion, that the original establishment might have answered all his royal highness's purposes. There were few, however, he believed, who recollected what Brighton was a few years ago, who would be disposed to agree in this opinion. His royal highness once resided there as a young man, surrounded only by private connexions; but he now lived there occasionally when it was necessary for him to see his own illustrious family, and discharge the public duties of his high office. He was, indeed, the only individual in Europe exercising the functions of sovereignty who had not a variety of palaces. Besides his temporary residence at Windsor, the Prince Regent had only Carlton-house and the Pavilion.

The right hon. gentleman had chosen to represent the sums which had been granted out of the droits of the Crown, in aid of the younger branches of the royal family, as great misapplications of those droits. Now, it never had heretofore been doubted, that aids to the younger branches of the royal family were a branch of the public expenditure to which the application of the droits of the Crown was perfectly justifiable—just as much so as if parliament had been called upon to vote them; for in no degree did the aids in question differ from the aids which had been afforded in former times.

Towards the latter end of his speech, the right hon. gentleman had indulged himself in some very strong expressions on the 534,000*l*. which had been voted for the arrears of the civil list. He trusted that the House would discharge from their minds the misconception which the right hon. gentleman's remarks were calculated to produce, and that they would not suffer the right hon. gentlemans' sweeping imputation to lead them to suppose, that in paying those arrears the country had been paying only the arrears of the royal expenditure. On a late occasion he (lord Castlereagh) had stated that the utmost amount of the arrears of the royal expenditure in four years was 184,000*l*. When, in the year 1812, parliament gave 100,000*l*. to the civil list, it was for two purposes; the first, that of liquidating the inevitable arrears which had taken place during the period of the restricted regency; the second, for the equipment of his royal highness the Prince Regent. The arrears, however, of the period of the restricted regency swallowed up the whole of that sum, and the expenses of the equipment necessarily became arrears in the lord chamberlain's department.

Other occasions would occur in which he might enter more minutely into the detail of the subject than at present; but there was one branch of them on which he would shortly trouble the House, feeling anxious as he did to afford every possible information on the question before them. The right hon. gentleman had said that he (lord Castlereagh) put himself very forward in the justification of the expenditure and of the arrears of the civil list. Why did he do so? Because he knew that the arrears of the civil list were attributable to the public expenditure, rather than to the expenditure of the Crown, and because he was aware that the foreign expenditure was necessarily increased, as compared with other periods of that fluctuating expense. In the progress of the bill which he should have the honour of introducing for the better regulation of the civil list, opportunities would occur for detailing the grounds on which he entertained these convictions, and for sifting them to the bottom. At present he only wished a little to disarm that jealousy which it was attempted to excite in the House, before a full examination of the grounds on which it was affected to be founded. He could not but persuade himself that the House would find the nature and extent of the expenditure to which he had alluded fully warranted by the circumstances out of which it had grown.

There were two or three points of attack on the expenses of the civil list, which the right hon. gentleman had selected, and on which he begged permission to say a few words, and more particularly on the special missions in which he himself, lord Cathcart, and lord Stewart had been engaged. As to the latter, the right hon. gentleman must allow him to say, that it was a most unfair statement to assert that those noble lords had been brought to Paris to assist him (lord Castlereagh) in the negociations which were carried on in that capital. They did not visit Paris for that purpose. They were there in the discharge of their duty as independent public functionaries. Having been sent as ambassadors from this country to the emperors of Russia and Austria, when those emperors left their own capitals and went to Paris, it was indispensable that the noble lords in question should accompany the monarchs to whom they had been accredited. He repeated, therefore, that they came to Paris not to assist him in the negociations, there pending, but to discharge their public and particular duties. With respect to the expense incurred by the missions of the two noble lords, it would be necessary for the House only to recall one fact in order to account for its being much larger than it otherwise would have been: he meant the unfavourable rate of exchange which existed during the two first years of those missions, and which threw on them a great increase of charge. In fact, the whole class of foreign expenditure in the civil list was swelled by that circumstance, as much as the whole of our military expenditure had been swelled by it. This was the natural consequence of a state of things in which, in order to be able to spend a hundred pounds, it became necessary to incur an expense of a hundred and thirty pounds, and in some cases much more. In addition to the consideration which he had just stated, it should be recollected, that after lord Cathcart had formed an establishment at Petersburgh, he was obliged to leave that city for Vienna, so that for some time he was under the necessity of maintaining two establishments. So it was with lord Stewart; after having created an establishment at Vienna, he was obliged to take the field, and thus incur a double expense. When these subjects should come to be more fully considered, he was prepared to give full satisfaction with respect to them.

As to himself, he did not believe when the right hon. gentleman came to examine the nature of the special missions in which he had been engaged, and to compare them with other special missions of former occurrence, that he would find any ground for reproach on the score of improvident expenditure. By the unfortunate manner in which the accounts of such missions were made up, all the expenses abroad (in that country at least to which the minister was sent) were drawn in the name of the minister. Thus it happened, that in the statement of the expenses attendant on his (lord Castlereagh's) missions, many items were introduced with which he had nothing whatever to do, and a general impression was thereby unjustly created, that those expenses were personally respecting himself. When the details came to be examined it would appear, that of the 43,000*l.* which stood in his name, 24,000*l.* was the whole amount of the expense actually connected with his missions. With the rest he had no more to do than he had with the couriers to the payment of whom a part of it was applied. He had been sent on foreign service three times. The duration of that service was, on an average about six months at each of those periods. The expense of each of his missions, therefore, was about 8,000*l.* He would not presume to say any thing of the importance of the objects with which he was charged on those occasions, but he must observe, that they compelled him, in the pursuit of them, to take very long and very expensive journies. Besides, he was placed in a situation very different from that of most other foreign ministers. He was obliged to carry a considerable establishment about with him, as a great part of the business of his office of secretary of state for foreign affairs was transacted by him while on the continent. He had indeed no less than twelve gentlemen with him for that purpose; and he could assure the House, that although he sometimes found that number too few, he never found it too many. Some of these gentlemen came from his own department, some from other foreign ministers; in all, however, there were twelve working individuals, forming part of his family. Under all these circumstances, he did not find 8,000*l.* more than sufficient for the expense of each mission. Without meaning to boast of very rigid economy, he could assure the House, that he had no superfluous splendour: so far from it, indeed, that it required the good nature of those who visited him to accept the entertainment which he gave them [Hear].

As to the motion of the right hon. gentleman he should oppose it, on the ground that it was not expedient for the House to travel out of the course which they had uniformly pursued on this subject. They had never exhibited any disposition to enter into a minute examination of the expenses of the royal household. On the representations submitted to them, they had formed a general conception of what might be necessary for the service of the royal family; and not on those alone, but also on the experience of a long course of years, by which they were enabled to judge satisfactorily on the subject. For his own part, he really did not think that it was necessary, in order to obtain a clearer view of the question, to accede to the right hon. gentleman's proposition. Those who were disposed to give their minds and their time to the subject, complicated and difficult as it was, would find on the table of that House, a mass of information so large as evidently to preclude the necessity of any thing further. There was hardly a circumstance connected with the most trifling expense of the civil list which might not be completely elucidated by a reference to the reports, five in number, on the table of the House. If it was information which the right hon. gentleman wanted, had an attempt ever been made to refuse it? Down to the moment at which he was speaking there had never been an account called for, or an explanation required which had not been accorded with the utmost liberality, the House proceeding in those cases (as he hoped they would always proceed in similar cases), by an address to the Crown. He hoped, therefore, that the right hon.

gentleman would not persuade them to depart from their uniform line of conduct, for the purpose of obtaining information, a request for which had never been refused. Nor did he think the proposition of the right hon. gentleman (if it were acquiesced in by the House) of calling individuals, and examining them as to all the little family details of the royal household, would be available to the purposes for which it was made. He was persuaded that no effort such a committee as that moved for by the right hon. gentleman might make, would enable them, varying as the foreign portion of the civil list must necessarily be, to fix the expenditure to a certain sum. He trusted that the House, having the report of the committee of last year before them, having the estimates of the present year before them, having a great mass of other information before them, and having further explanation within their reach, if further explanation should be deemed necessary, would reject the right hon. gentleman's motion for a departure from the ordinary course of parliamentary proceeding.

As to the general result of the estimates, the House would find, taking that portion of them which was applicable to the household, that it did not exceed the average expenditure up to 1811. In the third class, there certainly was an increase of 12,000*l*. And why? Because we had twelve more missions on the continent. This perfectly explained the cause of the augmentation of that part of the estimates in the present year. He did trust, therefore, that the House would adhere to the principle on which it had always acted with respect to the civil list; and that whatever information they might require on the subject, they would apply for by an address to the Crown. He would venture to say, that no additional information (if information was really the object), for which the House could wish would be withheld. He saw no objection to the appointment of a committee on the principle of that appointed last year, if it were thought necessary. But really, the report of that committee appeared to him to communicate abundant information. What he distinctly objected to was the examination of persons with respect to the details of the royal household. The right hon. gentleman had found that the House was against him on this point; for he had abstained from further attendance on the committee of last year, when the House refused to give to that committee the power which he required. The right hon. gentleman had attempted to point out some evils which in his opinion would arise from the control of the proposed auditor. The House would allow him to say that the appointment of that officer was especially recommended by the committee appointed by his majesty's government to investigate the subject. As to his power he would not have more than was possessed by the present auditors of the civil list. He was not to have any authority of a novel nature. The treasury, in order to enable them properly to regulate the household, must have a more immediate connexion with it. Besides, they had not time for the task. It was necessary that the audit of the civil list should be an early audit; and it would be impossible to leave that duty to general auditors without subjecting it to the inconvenience of falling into arrear.

He would not trouble the House any further at present on the question. He was apprehensive that they would think the details dry and little interesting. But, on the other hand, the subject was one of extreme importance. He trusted that the House, influenced by a proper spirit of economy, and at the same time feeling that deference to the Crown which had always marked their conduct, would have recourse to those modes alone of obtaining information which they had hitherto adopted. He trusted that in examining the details of the expenses of the household, they would always bear in mind, that comparatively few of the arrears of the civil list appertained to those expenses. The whole amount of the exceedings of the household in four years was 180,000*l*. and he was confident, if the equipment of the regency had not created an extraordinary expenditure, especially in the lord chamberlain's department, that no debt at all would have been incurred in that branch of the civil list. The right hon. gentleman had asserted, that the debt ought to have been extinguished by the droits of the Crown, and that parliament ought to have had nothing to do with it. That, however, would have been in contradiction to the existing statute, by which it was directed that under the circumstances in which that debt was placed, it should be brought before parliament in order that its nature and extent might be ascertained. The noble lord concluded by repeating his firm expectation that the

House would not institute the kind of inquiry proposed by the right hon. gentleman, but that if they needed information, they would address the throne for it.

Mr. *Calcraft* observed, that he could not agree with the noble lord, that a question at once affecting the splendour of the Crown and the burthens imposed on the people could ever be uninteresting to the House of Commons. He begged to ask, whether any of the other estimates of expenditure were ever found deficient? Was it ever necessary for ministers to come to parliament for the purpose of procuring additional sums? Certainly not; and for the plainest of all reasons—because, with respect to the estimates of the navy and army, and of other services, ministers were responsible, and were bound to apply the sums voted by parliament to the purposes for which they were granted. Why should not the same responsibility exist in the management of the civil list? The absence of it rendered inquiries necessary; and as to the delicacy of which the noble lord had said so much, although he would be the last to break through it in ordinary cases, yet, after committees upon committees had in vain reported, he thought that some other mode of investigation more effectual was indispensable. He put it on the footing of any other exceeding for which the public was made liable; and if the House of Commons was in earnest in its professions of economy, it was its duty to prosecute this inquiry. Where could it better commence a system of retrenchment than in the highest quarters? At the same time, he was willing to allow that a proper degree of forbearance ought to be observed. The noble lord had said, that the estimate first laid upon the table was not intended to be relied upon by ministers; and that, principally in consequence of the decrease in the price of provisions, it had been found practicable to reduce it to the extent of 100,000*l.* Why were not these important documents fitly prepared in the first instance, and what was the fair inference to be drawn from this vacillation? Was it not that the estimate of 1815, and those presented on other occasions, were all drawn up so loosely, and upon such vague materials, that the House could not place the slightest reliance upon them. On a former day the noble lord had spoken of the advantages of which the sovereign might now have been in possession, had he retained his hereditary revenue: to-night he had not touched upon that point, and he (Mr. C.) thought it would not be very difficult to show, that had the King retained the hereditary revenue of George 2nd, he would not have had so large an annual income as he derived from the annuity for which it was commuted. The whole subject required immediate and thorough examination; and if the House refused to grant the motion of his right hon. friend, it must in future be completely at the mercy of the minister, who only prepared estimates like those now on the table, to answer the convenience of the moment. The noble lord had complained that his right hon. friend had treated this question invidiously. If to examine it with patience and acuteness, and to state the result with accuracy and ability, were to treat it invidiously, the charge was well founded. He (Mr. Calcraft), on the contrary, thought that the subject had been most fairly displayed; and if the details were surprising, they were with fidelity taken from the papers presented. All men must be astonished at the fact of furniture to the extent of 50,000*l.* being sent to one house, into which already so much had been crowded. The great remedy suggested by the noble lord was, to appoint an auditor, who was to be accountable; but if the great personages now concerned, the lords of the treasury, and the lords chamberlain and steward, did not afford sufficient security that the civil list would be properly managed, what confidence could be placed in a mere auditor of accounts, who was to be paid because the lords of the treasury would not fulfil duties hitherto imposed upon them? On a previous occasion the noble lord had complained that Great Britain had acted towards her sovereign in a niggardly manner, unworthy of her resources; and, to prove his assertion, he had instanced the greater revenues of the king of France. He (Mr. C.) was not aware that the splendour and the luxuries of the Crown had ever been abridged in this country, even when all classes were suffering: he thought the charge unfounded, and, had it been true, it did not follow that we should do better to imitate the example of France. When the whole nation was calling for retrenchment, it would ill become the representatives of the nation to refuse this motion. He could not persuade himself that it would be rejected; and if it were granted, more beneficial results would, he was convinced, be obtained than had flowed from the reports of all former committees upon this subject.

Mr. *Long* said, that the hon. gentleman who had just sat down, had accused his noble friend of stating, that the present question was one not interesting to the public. This he most expressly denied. His noble friend had said, that he was afraid the details (not the subject) would prove dry and uninteresting; but he had added, that in his opinion, it was one of the most important questions that could be submitted to the consideration of parliament. He did not ascribe to the hon. gentleman any intentional misrepresentation of the sentiments of his noble friend, but a more direct and complete misrepresentation had never occurred within the walls of that House. The hon. gentleman having first stated, that all the estimates, which, from time to time, had been framed of the expenses of the civil list, had turned out to be erroneous, had proceeded to ask how it happened that they were more so than the estimates of the army, or of the navy, or of the ordnance. The reason was obvious. The army, navy, and ordnance estimates were furnished every year; and if erroneous one year, were easily corrected in the next. Was that the case with the civil list estimates? On the contrary, there had been but two since the accession. The hon. gentleman had expressed a wish that the House should go into the proposed committee, for the purpose of examining the menial servants of the household, and in order to obtain the evidence of other persons connected with it. But that was precisely the proposition on which parliament had last year decided in the negative. "But then," said the right hon. gentleman, "why not examine into the other charges of the civil list?" It was the plan of his noble friend to do so. One object of his bill was, to bring those branches of the civil list, which were the most liable to fluctuation in their amount, regularly under the consideration of parliament. That, however, which had principally induced him to address the House on this occasion was, the observation made by the right hon. gentleman (Mr. Tierney) on the committee appointed by government to investigate the civil list, and which he termed an insult to the House. He (Mr. Long) would state to the House the nature of the appointment of that committee. It originated in a treasury minute, which was communicated to him, and in which he and two hon. friends of his were desired to examine the estimate of the civil list of last year, with a view to its reduction, and to the restriction of the expenditure to its proper purposes. They had before them the different reports which had been made on the subject by the various parliamentary committees, and requiring further information, they had been furnished with it by the direction of his royal highness the Prince Regent, who had also expressed his approbation of the commission. They had diminished the estimates of last year by 139,000*l.* The hon. gentleman had intimated that their inquiries had been influenced by motives of an undue nature. Did the result show this to be true? They had suggested a reduction of 26,000*l.* in the department of foreign ministers; they had recommended a diminution in the departments of the lord chamberlain, the lord Steward, and the master of the horse, amounting to above 20,000*l.*; they had pointed out various desirable regulations in the different branches of the household; and, finally, they had advised the appointment of an auditor to examine speedily the accounts of the civil list. Did the hon. gentleman see in all this any disposition on the part of the committee, to court the favour of any individual? The fact was, that they exerted themselves to the utmost to do their duty, and they trusted they had rendered service both to the Prince Regent and to the public. It had always appeared to him, that there were two material defects in the arrangements of the civil list. The first of these was a fixed income being given to meet a variable and necessarily increasing expenditure—the second the want of an efficient control over that expenditure. Certain improving funds had been set apart for the civil list in the time of George 2nd. These, parliament engaged to make good if they should fall short of the sum of 800,000*l.*; but if they exceeded that sum (as they had constantly done) the surplus was to be enjoyed by his majesty. The funds referred to had considerably exceeded the sum of 800,000*l.*, and the surplus had been retained by him according to the intentions of parliament. In the reign of Geo. 3rd, it had been thought advisable to give a fixed income in lieu of that provision of which he had just had occasion to speak. The income fixed as it then was, had not since been augmented with reference to the altered circumstances of the times, though every man must be aware a great and unavoidable increase of the expenses of the Crown had occurred between that period, and the present time. Though things had greatly changed, the established income of the Crown had been held to be equal to all the situations in which the Crown might be placed, and to all the various circumstances of the country in peace or war. It had been expected to meet the rise in the price of every article, and to cover all the different payments to be made out of the civil list, which every one must know were liable to the greatest fluctuations. He would give an example. Till within these few years the printing for the two Houses of Parliament had been charged on the civil list. The estimate for this service had formerly been 10,000*l.* Up to the year 1803 it had never exceeded 20,000*l.* It had been taken off the civil list in 1804, and the annual expense of the printing for the Houses of Parliament now amounted to between 80 and 90,000*l.* He mentioned this as a singular instance of that fluctuation of expenditure, of which he had felt it his duty to speak, and the subject was one which might deserve some inquiry. The disbursements made to the foreign ministers, which had also come out of the civil list income, presented an instance of no less striking variation. In 1804 the estimate under this head was 10,000*l.*; it now amounted to 130,000*l.* These circumstances being known, he would ask the House if any thing could have been expected but what had happened? Was any thing to be anticipated but that the Crown must require new revenues to be provided for it, or come to parliament to seek the discharge of its debts? Such, he contended, must of necessity be the consequence of the arrangement he had described, and it thence followed that it was unjust, under all the circumstances of the case, to say the incumbrances which had grown on the civil list arose out of any disregard for economy. That which had occurred was not to be ascribed to negligence or extravagance, but to that impolicy which had assigned a fixed income, to meet a variable and increasing expenditure. This was the true cause of the applications which had been made to parliament. The second defect which he had noticed in the system was, that no power of control over the civil list was given to those who were held to be responsible for any excess on it. It might be said that a control over it had been given by Mr. Burke's bill, but this he must deny. The control which that measure gave over one of the classes, went but to throw the charge of that class on the remainder, and that classification was absurd which did not effectually guard against inconveniences like those which had been experienced in the case in question. Of Mr. Burke, he must always speak with the greatest respect, but he must say, as a practical legislator his efforts were far from being always successful. Had his plans been as efficient when attempted to be carried into effect, as they were well founded in sound economy and in justice, results very different might have occurred. In some instances, certainly, he had done that which was productive of much good. The arrangement by which the sums formerly left in the hands of the paymaster-general, were taken from that officer and placed in the bank, he held to be a wise arrangement, and one which had proved highly beneficial to the country. But if they should go on to look at his other measures in the same office, which he (Mr. Long) had now the honour of superintending, it would be found that many of them had proved impracticable. After the experience of five and twenty years, his plan relating to the passing of accounts was found inefficient, and could not be acted upon. He (Mr. Long) had amended this plan by a new act, and Mr. Burke's friends upon that occasion admitted that what he had done, was what Mr. Burke intended to do. So it was with the civil list; his regulations to restrain the expenditure were insufficient, for the system of paying according to exact classification, could not be adhered to, unless adequate funds had been provided to meet the charge. He (Mr. Long) approved of the course which had been recommended on the present occasion by his noble friend (lord Castlereagh). He approved of it, as it went to remove from the civil list those charges which were most fluctuating in their nature, and, at the same time, to give that control over the expenditure which he had given it as his opinion had long been wanted. He approved of the plan, as it provided for the regulation of the civil list, by connecting the lords of the treasury with it, in a manner which had never been attempted before, and giving them that fair control over it which he would maintain they ought to exercise, and without which he thought no man ought to say they were responsible for its excesses. An objection had been made to the estimates of the civil list being framed by those on whom that duty had heretofore fallen, and it had been said that the House ought to take this task upon itself. He considered the best course would be to form them as till now they had been formed, and afterwards bring them before the House for investigation. The circumstance of the estimates being framed by the House would take away that responsibility of ministers touching them which ought to be preserved. The right hon. gentleman had called for the appointment of a select committee, with powers to send for persons, papers and records. No committee had been appointed to inquire into this subject down to the year 1802, and from that time to the present, no instance had occurred of such powers being given to a committee on the affairs of the civil list. The right hon. gentleman contended, that without these powers, the committee could not form an estimate, and that the appointment of one would be altogether useless. He (Mr. Long) did not see it was at all necessary the committee should be armed with such powers; it was not the duty of the committee to form estimates at all. He saw no reason for deviating from the established practice of the House, and the course which the right hon. gentleman recommended was a novelty—an innovation which he trusted they would not be disposed to sanction. He would ask when information respecting the civil list had been required, if it had not always been called for by an Address to the Crown. If the House had desired to examine an officer, touching the expenditure of the royal household, he presumed the course would be that which he had described? Would then the House on this occasion delegate those powers to a committee which hitherto they had always refused to exercise themselves? He knew it had always been thought important to preserve the regular course of proceeding in such cases, from interruption. He knew if a motion were made as a matter of course for papers on the subject of the civil list, the Speaker had always considered it to be his duty to interpose his authority, and to inform the member that he could not do this but by moving an address to the Crown. Why was a different course now to be pursued—why was that form to be departed from on this occasion, which had long been so carefully preserved, and adhered to for the wisest purposes? The right hon. gentleman, in proposing to examine the menial servants of the Crown, had spoken of the high respect he entertained for the person of the sovereign, as that which would effectually guard against any improper use being made of the power to examine them. He doubted not the right hon. gentleman might be sincere in all he had said on this subject; but if the precedent were once established—if once the servants of the King's household were called before a committee of that House, however tender all parties at present concerned might be of touching on matters connected personally with the sovereign, who could say, that those who might hereafter stand in the same situation, would act with the same delicacy and propriety? Who could say that similar inquiries would not be demanded at some future period, for purposes very distinct from every thing connected with the public benefit?—[Hear, hear!]. If the object of the House was to withdraw the respect which they had always shown to the sovereign, to make the civil list a vehicle for party purposes, they would support the motion; if not they would reject it. In conclusion, he gave the plan of his noble friend his warmest support, as it went to remove those charges from the civil list, which, from the circumstance of their being most fluctuating in their nature, had been the chief causes of those appeals to parliament, which had become necessary. He approved of it as it went to reduce the charges to an equality with the income appropriated to the civil list; and finally, he approved of it, as giving the lords of the treasury that control over the expenditure which he was of opinion ought to be vested in those who were held responsible for the excesses which might occur.

Mr. *Wynn* objected to the calling on parliament for deficiencies in the civil list, when the droits of the Crown were sufficient to cover the greater part of them. He also condemned the manner of applying those droits, which, instead of being expended on the royal palaces, which were the property of the public, were laid out on private residences, which might, in a short time be given away to any favourite. He contended for the necessity of a committee, as it was important to know the reasons on which that extraordinary minute of the treasury, which his right hon. friend had mentioned, were founded. It was important to know why 50,000*l.* had been expended for furniture at Brighton, when, according to the declaration of the noble lord last year, a great quantity of furniture had been kept up in store for future exigencies, and that no new expense would be incurred on this head. This additional expense which had been since incurred, was in violation of the pledge which had then been given, and the House was now called upon to sanction it. The hon. gentleman contended, that the House was quite competent to examine into every part of the civil list, as well as any other branch of the public expenditure, and observed, that though it was necessary to support the dignity and splendor of the Crown, it was also necessary that in doing so, they should uphold those rights and privileges which had been bequeathed to them by their ancestors. It was not a valid argument against the present motion, that no good had resulted from former committees. The House should consider the present state of the country, burthened as it was with taxes, and should carefully scrutinize every item of the public expense, unless they did this, they would not faithfully discharge their duty to their constituents.

The *Chancellor of the Exchequer* rose amidst loud calls for the question. He said, he was not desirous to enter at large into the discussion of the motion now before the House; but after what had fallen from the hon. gentleman who spoke last, and the right hon. mover, he was desirous of offering a few remarks with respect to the droits of admiralty, on which the language they had held appeared to him so extraordinary, that he could not but believe they had misunderstood the subject. It seemed to be supposed that a great breach of propriety had taken place, since the Crown had applied to the liberality of parliament for the liquidation of the arrears of the civil list, instead of applying the admiralty droits to the discharge of them. An erroneous idea appeared to be entertained of the extent of the profits arising to the Crown from the fund in question, and it was assumed that a very large balance was now in hand. It had been supposed that there was now in the hands of the treasury a balance of 277,000*l.* The right hon. gentleman was excessively mistaken in this idea, as he would prove from a paper which he held in his hand. In the note he had mentioned (which he here proceeded to read), and which was made out by the registrar of the admiralty, it appeared, that against the amount which had been mentioned as the balance in hand, there remained due, as rewards to captors, on account of vessels which had been condemned, no less a sum than 277,184*l.*: so that instead of there being the large unappropriated balance, there was barely enough to liquidate the outstanding debts. He had reason to believe, when all the claimants were satisfied, that something would remain, but the sum could not be great. After the expense of furnishing the royal residence at Brighton, he believed the balance remaining in hand might amount to about thirty thousand pounds. How the sums issued from this fund in the course of the last two years had been applied, he would now give some account from the papers before the House. The total amount of the payments made within the period he had named was 950,000*l.*; out of this sum there had been paid as rewards to captors of vessels nearly 450,000*l.* It would thus be seen that nearly half the large sum which had been mentioned had been given to the captors of vessels, and with this distribution of the monies in question, he did not expect the House would be other than satisfied. In addition to the sum thus applied, 390,000*l.* had been issued to discharge incumbrances on the civil list. It would thus be seen that out of the 950,000*l.* no less than 840,000*l.* had been directly applied to the service. of the public. There was also a small sum that had been carried to the consolidated fund. Of the remainder of the 950,000*l.* he believed 20,000*l.* had been expended on the royal residence at Brighton, and about an equal advance had been made to pay for furniture which had been supplied where the princess Charlotte had occasionally resided. These charges would give the House some idea of the manner in which the fund had been applied, and from this statement it would be seen that a balance like that which was supposed to remain, could not exist. That balance which might be ultimately returned, could not be so considerable as to excite any jealousy in parliament, on the subject of its applications. Whenever parliament could think the sum in hand of sufficient magnitude to make it desirable that they should decide on the manner in which it ought to be disposed of, he apprehended there would be little difficulty in submitting it to their disposal. It was proper, however, that it should be always remembered, that without their interference, the sum of 1,500,000*l.* had been applied to the service of the public.

Mr. *Tierney* shortly replied. He persisted that no demand ought to have been made upon parliament to supply the deficiencies in the civil list, when the droits of the Crown, on which there still remained a surplus of 277,000*l.* might have been resorted to. He insisted that sufficient remuneration had not been given to the naval captors.

The *Chancellor of the Exchequer* answered, that a much larger grant had been made to the captors during the last two years than had been customary during any former year.

The House divided:
For Mr. Tierney's Motion 122
Against it.......................... 213
Majority......... —-91

List of the Majority and Minority.

Majority.

Acland, sir T.
Addington, rt. hn. J. H.
Alexander, J.
Allan, George
Arkwright, R.
Ashurst, W.
Atkins, J.
Apsley, lord
Bagwell, W.
Baillie, G.
Barry, rt. hon. J.
Bentinck, lord F.
Beresford, lord G.
Beresford, sir S.
Bernard, lord
Bernard, T.
Binning, lord
Blackburne, J.
Blackburne, J. J.
Bold, P. P.
Bradshaw, hon. C.
Bradshaw, J. H.
Brogden, J.
Browne, rt. hon. D.
Butler, hon. J.
Broadhead, H. T.
Bloomfield, sir B.
Brydges, sir E.
Casberd, R. M.
Cawthorne, J. F.
Compton, earl
Colthurst, sir N.
Congreve, sir W.
Courtenay, W.
Courtenay, T. P.
Calvert, J.
Canning, G.
Cartwright, W. R.
Castlereagh, lord
Chetwode, sir S.
Cole, hon. sir G. L.
Cooper, E. S.
Cranbourne, lord
Croker, J. W.
Collins, H. P.
Cotter, J. L.
Curtis, sir W.
Daly, James
Dashwood, George
Davis, R. H.
Dawson, George
De Ross, hon. H.
Douglas, W.
Dugdale, D. S.
Douglas, W. R. K.
Doveton, Gabriel
Estcourt, T. G.
Egerton, W.
Edmonstone, sir C.
Elmley, lord
Evelyn, L.
Fane, general
Fane, John
Fane, Thomas
Farmer, Samuel
Farquhar, James
Fellowes, Wm.
Finch, hon. E.
Flood, sir F.
Fitzhugh, W.
Forbes, C.
Forrester, C.
Foster, J. L.
Foulkes, E.
Franco, R.
Frank, A.
French, A.
Garrow, sir W.
Giddy Davies,
Gipps, G.
Golding, E.
Goulburn, H.
Graham, sir James
Grant, A. C.
Grant, C.
Grant, C. jun.
Hall, B.
Hamilton, H.
Harvey, C.
Hart, general
Hill, sir G.
Holmes, W.
Hope, hon. A.
Hope, sir G.
Houblon, J. A.
Howard, hon. F. G.
Hume, Sir A.
Huskisson, W.
Holford, G. P.
Irving, John
Jackson, sir John
Jenkinson, hon. C.
Jocelyn, lord
Innes, Hugh
Kerrison, sir E.
Kirkwall, lord
Lacon, E. K.
Leigh, Thomas
Leigh, C.
Leslie, C. P.
Littleton, E. S.
Lloyd, H.
Long, R.
Lopez, sir M.
Lowther, lord
Lowther, hon. H.
Lowther, John, jun.
Lushington, S. R.
Lutterell, J. F.
Lutterell, W. F.
Manners, general
Macnaughton, E. A.
Magennis, R.
Manners, lord C.
Marjoribanks, sir J.
Manners, lord R.
March, Earl of
Marryat, Joseph
Meade, hon. John
Meyler, R.
Moore, lord H.
Mills, C.
Milne, P.
Mitford, W.
Morrit, J. B.
Moorsom, admiral
Neville, Richard
Newark, lord
Nicholl, sir John
Noel, sir G.
Osborne, J.
Odell, W.
Ogle, H. M.
Paget, hon. C.
Paget, hon. B.
Pakenham, hon. H.
Palmer, C. N.
Palmerston, lord
Peel, rt. hon. R.
Percy, hon. S.
Pechell, sir T.
Pennant, G. H. D.
Phipps, hon. Edw.
Pitt, Jos.
Pole, rt. hon. W. W.
Porter, general
Protheroe, Edw.
Quin, hon. W. W.
Richardson, W.
Rochfort, G.
Rose, rt. hon. G.
Round, John
Robinson, rt. hon. F.
Robinson, general
St. Paul, sir H.
St. Paul, H.
Saville, A.
Scott, rt. hon. sir W.
Seymour, lord R.
Shaw, sir James
Sheldon, Ralph
Singleton, sir M.
Smith, Christopher
Somerville, sir M.
Stewart, Alex.
Stewart, sir J.
Stuart, sir S.
Stuart, hon. sir W.
Stuart, hon. J.
Stirling, sir W.
Sullivan, rt. hon. J.
Swan, Henry
Sykes, sir M.
Suttie, sir James
Sutton, rt. hon. C. M.
Taylor, John
Teed, John
Thornton, general
Thornton, S.
Trefusis, hon. C.
Taylor, W.
Ure, M.
Vansittart, rt. hon. N.
Vaughan, sir R.
Valletort, lord
Vyse, R. W. H.
Wallace, rt. hon. T.
Walpole lord
Ward, R.
Webster, sir G.
Wellesley, W. L. T. P.
Wemyss, general
White, M.
Wilder, F.
Williams, R.
Wilson, C. E.

Wood, T.
Wrottesley, H.
Wyatt, C.
Yarmouth, earl of
York, sir J.
Yorke, rt. hon. C.

Tellers.

Arbuthnot, rt. hon. C.
Long, rt. hon. C.

Minority.

Abercrombie, hon. J.
Althorp, lord
Atherley, Arthur
Anson, sir George
Astell, Wm.
Barham, Jos. F.
Baring, Alex.
Barnard, lord
Bennet, hon. H. G.
Birch, Joseph
Brand, hon. T.
Brougham, H.
Burrell, hon. P. D.
Burrell, sir C.
Burrell, W.
Babington, Thos.
Bolland, John
Byng, George
Barclay, C.
Calvert, C.
Calvert, N.
Campbell, hon. J.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Caulfield, hon. H.
Chaloner, Robert
Cocks, hon. J. S.
Cocks, James
Coke, T. W.
Curwen, J. C.
Duncannon, visc.
Dundas, hon. L.
Fergusson, sir R. C.
Fitzroy, lord John
Folkestone, lord
Fremantle, W.
Finlay, Kirkman
Fynes, H.
Grattan, rt. hon. H.
Gordon, R.
Grant, J. P.
Grenfell, Pascoe
Guise, sir. Wm.
Gaskell, B.
Halsey, Jos.
Heron, sir Rt.
Hornby, E.
Horner, Francis
Howorth, H.
Hughes, W. L.
Jervoise, G. P.
Knox, Thomas
Lemon, sir Wm.
Lamb, hon. W.
Lambton, John G.
Langton, W. G.
Lefevre, C. Shaw
Lewis, T. F.
Lyttleton, hon. W.
Latouche, Robt. jun.
Law, hon. E.
Leader, Wm.
Macdonald, James
Mackintosh, sir J.
Markham, admiral
Martin, H.
Martin, John
Milton, viscount
Molyneux, H. H.
Monck, sir C.
Moore, Peter
Morland, S. B.
Mostyn, sir T.
Methuen, Paul
Neville, hon. R.
North, Dudley
Nugent, lord
Newman, Wm.
Osbaldeston, Geo.
Osborne, lord F.
Ossulston, lord
Parnell, sir H.
Peirse, Henry
Pelham, hon. C. A.
Pelham, hon. G. A.
Philips, George
Piggott, sir A.
Ponsonby, rt. hon. G.
Ponsonby, hon. F. C.
Powlett, hon. W.
Prittie, hon. F. A.
Pym, Francis
Rashleigh, Wm.
Ramsden, J. C.
Rancliffe, lord
Ridley, sir M. W.
Romilly, sir S.
Rowley, sir W.
Russell, lord G. W.
Russell, R. S.
Sebright, sir John
Scudamore, Robt.
Sefton, earl of
Sharp, R.
Smith, Samuel
Smith, Abel
Smith, Wm.
Smyth, John H.
Stanley, lord
Talbot, R. W.
Tavistock, marquis
Taylor, C. W.
Tierney, rt. hon. G.
Townshend, lord J.
Tremayne, J. H.
Thompson, Thos.
Warre, J. A.
Waldegrave, hn. capt.
Walpole, hon. G.
Wharton, John

Tellers.

Wynn, C. W.
Calcraft, John

When the gallery was again opened, lord Folkestone was on his legs, opposing the bringing up of the report of the bank restriction bill. He concluded by moving, that the House should adjourn. On dividing there appeared, for the adjournment, 65; against it, 183: Mr. Bennet afterwards moved the other orders of the day, with an intention of dividing the House, when the chancellor of the exchequer consented to postpone the report of the bank restriction bill to Wednesday.

HOUSE OF LORDS.

Tuesday, May 7.

Address on the Marriage of the Princess Charlotte.] The Earl of *Liverpool* rose to move the address to the Prince Regent on the subject of the marriage of the Princess Charlotte of Wales with the Prince of Saxe Cobourg. On the subject of that marriage it was unnecessary for him to say any thing at that time; and he should not take up their lordships time by any observations except this, that it was his, and he had no doubt all their lordships sincere prayer, that the marriage might turn out most satisfactory to his royal highness the Prince Regent, most happy to the parties themselves, and most beneficial to the country. He moved, therefore, that an address be presented to his royal highness the Prince Regent to congratulate him on the marriage of his daughter with prince Leopold of Cobourg.

An address to that effect was agreed to *nem. dis.* His lordship then moved a similar address to her majesty the queen, which was also agreed to in the same manner. He next moved that a message be sent from the House to prince Leopold and the princess Charlotte, to congratulate them on their marriage, which was ordered.

Consolidation of the English and Irish Exchequers.] The Marquis of *Lansdowne* rose, pursuant to notice, to move for the requisite information on this important subject. He stated, that on an intimation being given that it was the intention of ministers to propose the consolidation of the British and Irish exchequers, a noble friend of his had moved that a message be sent to the Commons for the report of the Commons' committee, and the various documents presented to it; and that to this message the Commons had sent no answer. The Commons were the best judges of their own privileges; and as to whether they had judged right or wrong in this instance, he meant to give no opinion; but certainly it was inconvenient, with reference to that free communication which ought to prevail between the two houses. The subject was one of the most important that had ever come under their lordships consideration in consequence of the union with Ireland; and the more important, because it was in vain to conceal, that the effect of it must be to bring upon this country part of the burthens of Ireland. It was a measure which required the most serious consideration; it was impossible that any one could wish their lordships to come to that consideration without the most ample means of information before them; and it was for that reason that he now proposed an address, praying the Prince Regent to order the papers which they could not procure from the Commons to be laid before their lordships. To this he had to add two or three other motions on subjects connected with the political as well as financial state of Ireland. The first was a motion for all the penalties and fines which had been incurred in Ireland during the last three years in consequence of illicit distillation, and of the number of those which had been enforced in the course of the same period. This account, he believed, would astonish their lordships, and give them no small insight into the political as well as financial state of Ireland. The second related to the state of the exchange between the two countries; and he trusted that, at length, some common standard of currency would be adopted for both countries. The state of the exchange had varied in the course of one year about 10 per cent, altering to that extent the state of all contracts between the people of the two countries; whereas, if there had been a common standard of currency, the difference of the exchange would be necessarily limited by the expense of carrying the precious metals from the one country to the other. The third motion was for an account of bank of Ireland notes in circulation during a certain period, which must materially affect the course of exchange. Ireland, unfortunately, could not follow the rapid advance of Great Britain in adapting its revenue to its expenditure; and he feared that, upon examination, it would be found that this was less a measure of expediency than of absolute necessity.

The Earl of *Liverpool* said, he certainly could have no wish to withhold from their lordships the information now called for by the noble marquis. He had made no objection to the message to the Commons; and as the requisite information had not been procured in that way, he agreed that it was desirable to bring it before the House in the manner now proposed by the noble marquis. The subject was unquestionably one of the greatest importance; and it was essential to the interests of both countries, but chiefly of Ireland, that it should be considered, and that some such plan as that now in contemplation should be adopted. He did not dispute the view which the noble marquis had taken of the matter. It had not been possible for Ireland, from various causes which he need not detail to their lordships, to keep pace with this country in proportioning her revenue to her expenditure; and he admitted that the measure was rather adopted from a principle of necessity than choice. That the carrying of this plan into effect would be attended with considerable inconvenience, and that they ought to proceed with caution, he was ready to allow; and therefore, however desirable or necessary it was, he agreed that it was a question requiring the most serious consideration and all the information that could be procured on the subject.

The Earl of *Limerick* said, he could not help rising to express his satisfaction at the liberal manner in which this matter had been treated by the noble marquis and the noble earl; and was convinced that the knowledge of that liberality and candour, and the measures which their lordships would adopt in that spirit, would have the best effect in Ireland.

The Earl of *Lauderdale* fully agreed in the importance of the subject, especially as the result must be, that even in the present state of this country, additional burthens would by this measure be imposed on it. It was no doubt, of the utmost consequence to both countries that a common standard of currency should be fixed: but let their lordships consider how that was connected with the restriction of cash payments in this country; for as long as that continued there could be no fixed standard of currency in either country. Even while there was a fixed standard here, the difference in the rate of exchange had puzzled him a good deal. The only legal coin in Ireland was copper; and when one considered the difference in the quantity of copper that went to a shilling there, and to a shilling here, the whole matter would perhaps be clear enough: the first step was to have a fixed standard here, which might then easily be extended to Ireland; but till there was a fixed standard, nothing could be done.

The several motions were then put and agreed to.

WEIGHTS AND MEASURES BILL.] On the motion for the second reading of the above bill,

Earl *Stanhope* rose and observed, that this was an act for the purpose of producing a uniformity in the system of weights and measures; and certainly the title showed that the subject was a most interesting one. But, if they examined the bill itself, they would find, that no proper attention had been paid to producing the effect desired. Before he stated his individual opinion on the bill, he begged leave to read to their lordships, as part of his speech, the sentiments of that very able mathematician, Dr. Hutton, on this subject, as contained in a letter which that learned man had written to him. "The bill," he observed, "appeared to be a most trifling and flimsy production—not founded on any rational standard, and its subdivisions having no just relationship to each other. Those who formed the bill had altered the measures of capacity, the bushel, gallon, quart, &c., but the old names were retained. What immense confusion must this system of altering the quantities and retaining the old names create—and that too without producing any thing useful to the public, by whom the measures were to be used." He concluded his letter by adverting to the "expense, trouble, inconvenience, and commotion, which this system would produce. And for what? Merely for the sake of appropriating new quantities to old names. If the people really wanted new weights and measures, let them follow the example of a neighbouring nation, formerly our great enemy, but now our ally, and adopt a standard founded on decimals, subdivided." He concurred in this opinion; and he would not be performing his duty to the House and the country, if he did not point out to their lordships certain parts of this bill, which, in point of absurdity, exceeded any measure that was ever brought before them—and that was saying a great deal, considering the curious bills that were sometimes introduced to their notice. Before he adverted to the scientific part of the subject, he would look to what might be called the common clauses of the bill. He had letters from many mathematicians, and from several very sensible tradesmen, on this subject, and they all took nearly the same objections to the measure. They pointed out the very inconsiderate manner in which the bill directed that the weights should be made. Weights, under 5lbs. were to be made of brass, copper, or bell metal. Those above that quantity were to be formed of cast iron which differed more from wrought iron than the latter did from steel. But it was worth the notice of the House to learn the sort of weights recommended for grocers' shops. Lumps of pure silver and gold, of four pounds weight, were to be used for the purpose of weighing grocery articles! Those precious metals were to be laid on the grocer's counter, exposed to the depredations of any dishonest persons who might enter his shop. There was no reason whatever why cast iron should not be made use of for weights of 4 lbs. But the fact was, that those who introduced this bill did not understand the details. He could inform them, that there was a mode of casting iron, by which it could be made as hard as flint, and, therefore, was less liable to injury and diminution than brass weights.—There was another clause, by which certain officers were directed to proceed, in the day time, to shops and warehouses for the purpose of examining the weights. Now, what was the penalty where false weights were discovered? If a person were detected in using improper weights or measures, though he might have been cheating the public for years, and making, by his frauds, the sum of 4*l.* or 5*l.* a-day—such an individual was subject to a fine not exceeding 20*s.*, nor less than 5*s.* But this was not all. If a tradesman were asked to produce his weights and measures for inspection, he might, by the provisions of this bill, on paying a penalty of 5*l.*, refuse to suffer them to be examined, when called on. By this means, instead of pouncing down on him at once, and visiting him severely for his knavery, an opportunity was afforded him to conceal all his false measures; and he would, of course, be on his guard when the officers came again. No mode was pointed out by which the proper officers could be known. And in his neighbourhood, persons had made a considerable sum of money, by pretending that they were officers sent from London to inspect the weights and measures, when, in fact, they had no authority whatever.—The noble earl then adverted to the evidence of Mr. Warne, a brass founder, who served country corporations with weights and measures, from which it appeared that there was, in 1814, an office in Westminster, where weights were stamped without their being placed in the scales at all. Earl Stanhope said, he had now in his possession several weights stamped at this office, some of which were too heavy and some too light. Those persons received 3*d.* per dozen for marking the weights, and they did not think it necessary to place them in the scale. What a hardship must this inflict on an honest tradesman, who, without knowing the fact, became possessed of one of those light weights! It not only subjected him to a penalty, but it tended to impeach his character. This bill, however, proposed to continue those persons in the same office, and with the same authority they at present possessed, as if no new enactment were made. It was curious, however, to remark, that this measure went to repeal 55 acts of parliament, on the subject of weights and measures—and, amongst the rest, it repealed the very act, under which the office in Westminster was established. With respect to the alterations contemplated by the bill, the first was reducing the gallon measure, which now consisted of 282 cubic inches, to 276, but still retaining the term gallon, quart, and pint. So that when a man called for a pint of beer, and received this reduced measure, he would immediately complain that he was cheated. This mistake could not occur, if the denomination, as well as the quantity were changed. In that case an individual would understand what he was about.—Now he came to a very extraordinary clause indeed. The clause set forth, that " in all cases of dispute, respecting the correctness of any measure of capacity, arising in a place where recourse cannot conveniently be had to the standard measure of capacity, then the measure was to be filled with water and weighed, which will at once prove whether it is true or not." Now he could understand the latter part of the clause very well—but he should be glad to see any lawyer who could point out to him those places which were comprehended, or could be comprehended within the words—" where recourse cannot conveniently be had to the standard measure of capacity." But, though this plan of filling a measure with water, would do, where the dispute was about struck measure, it would not answer at all, where the contents of heaped measure were to be ascertained; because two measures which were the same in capacity, might differ very much as to heaps; the heaps being always in proportion to the cubes of the diameter. Now, by this bill no distinction whatever was made. The heaps produced by a diameter of six, eight, or any other number of inches, were all treated as if they were equal. The noble earl then observed, that the persons who formed this bill, not only differed from others, but from themselves. In the report on the subject, the following passage would be found—" It appears to your committee, that the great causes of the inaccuracies that have prevailed have arisen from the want of a fixed standard in nature." Now one would think, after having stated this, that they would make some exertions to discover a fixed standard. They had, however, done no such thing; they merely stated, as the opinion of the committee, that the space between two points, marked on a certain brass rod, was a yard. Our ancestors had so little science, that to form an inch, they took three barley corns, and placed them end-ways, which they called by that denomination. One hundred and eight of these barley corns went to make a yard. This was the whole science on which our measures were founded—and this was the standard recognised by the present bill.—The noble earl then pointed out several errors in the calculations of those who had formed the bill, particularly with respect to the vibration of the pendulum, and paid a high compliment to the system of weights and measures established in France, which was founded on an invariable standard—a standard which 10,000 years hence would remain as it was at present. In conclusion, the noble earl moved, " That the bill be read a second time this day six months."

Lord *Melville* agreed that the subject was of too much importance for their lordships to proceed upon without much better information; but some regulation on the subject was exceedingly wanted, and he knew that in the northern part of the island the most excessive inconvenience arose from the want of a fixed uniform standard. By the act of Union they were to have the same standard as England, and when they looked to England for the standard they found none. He had also to say, that professor Playfair, of Edinburgh, and another eminent mathematician, appeared to approve of the principles of the bill.

The Marquis of *Lansdowne* observed, that the proper mode of proceeding would be to move an address for a reference of the matter to scientific men, who might consider the matter and report on their responsibility, and the legislature might then proceed on the foundation of that report. He did not understand that professor Playfair approved of the bill as it stood.

Earl *Stanhope* said, that professor Playfair had offered three criterions—the barometer, the French method, and the pendulum: but they had not examined him properly. It was not using a man of science fairly not to go on with him, that he might be enabled to explain his ideas properly. Let them send men of science to him, and he would examine them.

The motion was agreed to, and the bill was accordingly thrown out.

HOUSE OF COMMONS.

Tuesday, May 7.

Forged Notes.] Mr. Best, from the Bank of England, presented "An account of the total nominal value of such Bank Notes presented at the Bank of England, and paid, as afterwards proved to be forgeries, from the 1st of January 1812 to the 30th of April 1816."

General *Thornton* moved, "that the said account be printed," at the same time observing, with respect to the number of forged notes, that the evil had risen to an enormous magnitude, which demanded the immediate interference of parliament. The number of forged notes refused during the last year, amounted to 29,000*l.*; and calculating from the surprising numbers that during the present year had been already presented at the bank, he thought it fair to estimate those of the entire year at no less a sum than 30,000*l.* He thought that when the public were compelled to take bank notes in every payment, they should be protected from the dangers attending such a system, and that the bank should be rendered liable for every forgery committed on their notes.

Mr. *W. Smith* had long thought with the hon. general, that it was a hardship, when the public were compelled to take the notes of the bank, to make them suffer for forgeries, which it was impossible for them to detect; but compulsion, with respect to the bank, would be immediately attended with the most enormous influx of forged notes; so that there was no proportion between the existing evil, and the mischief with which a remedy would be attended.

Mr. *Curwen* was of opinion, that the bank should be rendered liable for all forgeries in the hands of innocent holders.

Resolution of the Bank of England respecting Cash Payments.] Mr. Best, from the Bank of England, presented the following

Copy of the Resolution of the Court of Directors, 27th October 1797, on the State of the Affairs of the Bank, and their ability to resume Payments in Cash.

At an adjourned Court of Directors at the Bank, on Friday the 27th October 1797;—

The subject of the Restriction Bill, passed in the last session of parliament, being considered; "Resolved, that it is the opinion of this court, that the governor and company of the bank of England are able to issue specie, in any manner that may be deemed necessary for the accommodation of the public; and the court have no hesitation to declare, that the affairs of the bank are in such a state, that it can, with safety, resume its accustomed functions, if the political circumstances of the country do not render it inexpedient; but the directors deeming it foreign to their province to judge of these points, wish to submit to the wisdom of parliament, whether, as it has been once judged proper to lay a restriction on payments of the bank in cash, it may or may not be prudent to continue the same."

Motion for appointing a Committee respecting Public Offices.] Lord *Althorp* rose, pursuant to notice, to submit a motion to the House on the subject of the increase or diminution in the number or amount of the salaries and emoluments of different public offices. He was aware that it was not to small savings that the House was to look for any beneficial effect on the finances; but it was due to the people to show them that all that was raised from them by taxes was expended for their advantage. He was not, however, convinced, that by an accurate inquiry into the public expenditure a large saving might not be made. It was needless to press economy on the attention of the House, or to press the claims which the urgent necessities of the country had on their attention, but he could assure the House that it was from a strong feeling on the subject that he had been induced to come forward with his present motion. When on a former occasion he had presented a petition against the property tax, he had recommended as strongly as he could an inquiry into the expenditure of the public departments, and he had alluded to one or two offices, which, from his own knowledge, he could say were perfectly useless. He had then said, that if his majesty's ministers were disposed to enter upon the investigation of useless offices, they would be the fittest persons to undertake it. He had not, however, found them inclined to act upon that advice, neither had he ever been very sanguine in his hopes from them, especially from the way in which the proposition had been received. He had been convinced that retrenchment was practicable, and finding that nothing had been done, he had thought proper to bring the question before the House, that he might not have been supposed to have made his remarks unadvisedly. To conduce to the better understanding of his observations, he should state the nature of the motion with which he meant to conclude; it was for a committee to examine and consider the increase or diminution of salaries and emoluments of different public offices since the year 1798, and to report what measures might be adopted to make further reductions in the salaries of public offices without detriment to the public service. He did not propose to extend the committee to Ireland, because it would be better to appoint a special committee, to inquire into the public establishments of that part of the united kingdom. He was convinced, from experience, that there were some offices so ineffective, that the public business would be done quite as well if they were abolished. He should propose that the committee should report all such offices, without going into the question of patent offices, because that subject had been already discussed by the committee of 1806, and because he believed it was agreed that those offices should not be abolished during the lives of the present occupiers. He proposed this, not from any partiality to those offices, because there was no one more eager than he was for their abolition. The reasons which he should urge to the House for inducing them to accede to his motion, were, that frequent inquiries into the public expenditure had been of the greatest service, by repressing the abuses which, without such a check, were likely to arise. In 1786, a parliamentary commission had been appointed, in consequence of which some very valuable regulations had been adopted. In 1797 a committee had been appointed, which went through a laborious and satisfactory investigation. In 1806, a committee had been again appointed, which had inquired into and almost exhausted the question of sinecures, and reversions, but it had not inquired into the state of many offices, such as the admiralty and secretary of state's offices, which therefore had not been examined for nearly twenty years. Notwithstanding the pledge which had been given on the subject of economy, no one step had been taken to put it in practice. The only argument which he anticipated against his motion was, that a commission had been appointed by the treasury, composed of his noble friend (lord Binning) and two right honourable gentlemen; and that this commission was better calculated to inquire effectually into the subject than a committee of the House. He saw, however, by the minute which constituted this commission, that it was only empowered to inquire into offices which had been created since 1793; but it was as necessary to inquire into other offices as into these new establishments. Besides, though the commissioners were very respectable persons, he did not like the time of its appointment, or the auspices under which it was appointed. The minute which constituted the commission was dated two days after he had given notice of his motion [Hear, hear!]. Though it could not be a discovery of his that a saving might be made in the public offices, yet before that notice had been given no step had been taken towards it. If the commission was necessary, it should have been appointed before; if it was not necessary, it should not have been appointed at all. Neither could he have any confidence in a commission appointed by ministers who had shown such a wanton disregard of economy by the increase of salaries, and unexampled establishments, and who had made not even a show of retrenchment, until it had been forced upon them by the votes of the House. As the ministers would not do their duty, he hoped the House would not be unmindful of its own. He should therefore move, "That a select committee be appointed to examine and consider what increase or diminution has taken place since the year 1798 in the number or the amount of the salaries and emoluments of different public offices, and from time to time, with all convenient dispatch, to report what farther measures can be adopted for diminishing the amount of such salaries and emoluments, without detriment to the public service."

The *Chancellor of the Exchequer* said, that the noble lord had expressed his sentiments with great clearness and propriety, and the only question was as to the best mode to be pursued. He did not think that the noble lord had stated any reason whatever for taking the management and direction of the public offices out of the hands of his majesty's ministers, which would not go the length of changing the whole administration itself. The noble lord had not stated any circumstances of just suspicion; but he had told the House, that no reduction had been made by government. He trusted, however, that, before he sat down, he should be able to convince them that the noble lord was completely mistaken. The noble lord had moved for a committee to inquire into the increase and diminution of the salaries in public offices since the year 1798. Now, for the purpose of inquiring into this matter, the appointment of a committee was perfectly superfluous, as a return had been regularly made to parliament in each year. From June 1782, down to the present period, repeated commissions, or committees had been appointed, either by the Crown or parliament, to make inquiry. In 1797 a committee was appointed, over which the first person in that House (the Speaker) presided, in the first instance, with a view of inquiring into the state of the public revenue, and of the national debt; but their inquiries were afterwards extended over the different public offices, and for two or three years they continued to make reports. A committee was subsequently appointed, on the recommendation of an hon. friend of his (Mr. Banks), with a view of ascertaining the extent to which the committee of 1797 had proceeded, and from its labours under the conduct of his hon. friend very important benefits had been derived. Now, presuming for a moment, which, however, he did not concede, that the labours of these committees had not produced an actual saving to the country, they had operated at least to prevent the growth and increase of the establishments. There could be no doubt that if they had not been appointed, there would have been a very considerable increase. Considering, therefore, the present circumstances of the country, with reference to the times in which those committees had been appointed, he thought the motion of the noble lord quite unnecessary. In his opinion, it would be much better to leave the inquiry in the hands of those who were responsible for the discharge of their duties. He would beg the House to judge what practical good could be derived from inquiry into these matters at so late a period of the session. If the House were to accede to the motion of the noble lord, it would then be a just reason for ministers to say, parliament having taken the direction into their own hands, it is not for us to make reductions—it is not for us to prejudge the decisions of the House, it is our business to wait for the report of the committee and to obey such instructions as the House may give us. He would leave the House to judge what probability there was that any practical advantage could be obtained in the present year from such a course of proceeding. With regard to the pledge to which the noble lord had referred, it would remain in full force on the responsibility of ministers, if that responsibility should not be removed by the interference of parliament. He had said, that, before he sat down, he would show that they had not been unmindful of that pledge, nor neglectful of the duties which it imposed upon them. He would endeavour to convince the House that they had done their best, and it would then remain for parliament to determine whether they could have done better. It should be always kept in mind, that, after an expensive war of twenty-five years, the establishment could not at once be altered; the reduction must be gradual; and the House would recollect that we had now a revenue of 70,000,000*l.* to manage and collect; which was fourfold the amount of our expenditure previous to the war. The principle of reduction must always be the same, whether it came from the recommendation of a committee, or from the direction and management of the Crown. The noble lord would find, that since the peace, greater reductions had been made than at the close of a war in any preceding period. As to the increase of salary in the revenue boards, he could only say, that it had been long in contemplation, and was only suspended in consequence of the expense attending the war. What he wished then to state was, the reductions which had actually taken place, in order that the House might consider whether it would not be more advantageous to leave the inquiry in the hands of government. He should tire the House if he were to go through all the details connected with this subject, and would therefore pass over the office of secretary of state, the commander-in-chief, and the war-office. As to the agent-general's office for the local militia, it had been abolished. In the department of the paymaster-general there had been a reduction of 37,000*l.*; in the commissariat, 14,000*l.* The barrack department was ordered to be reduced one-half. In the navy office, the reductions amounted to 400,000*l.*; in the victualling office, to 25,000*l.* The transport office was entirely abolished. Having stated these facts, it appeared to him that the only object of appointing a committee would be, to inquire into the reductions which might have been effected. The committees on former occasions seldom took upon themselves to recommend reductions till after examination of the several persons employed in the different departments. Now, by leaving the reductions in the hands of government, it was probable that they would be carried to a considerable extent during the course of the year; but very little could be done by a committee, as their operations would be suspended by a prorogation of parliament, and could not be renewed till the opening of another session. This was a very material advantage which the commissioners chosen by ministers would have over any committee the House could select. At the time of appointing that commission, circular letters were sent to the heads of different departments, directing them to report to the treasury what reductions could be made, and what was indispensably necessary for the public service to be retained. Under these directions several reductions had been made, and more would be effected. He felt it necessary, however, to observe, that, previous to the appointment of those commissioners, many of the reductions which he had mentioned had either taken place, or been ordered; and this, it would be remembered, was stated by his noble friend (lord Castlereagh) in the month of March last. For these reasons, therefore, he thought the present motion quite superfluous, and should take the liberty of moving the previous question.

Lord *Milton* observed upon the recommendation of the chancellor of the exchequer to leave this subject in the hands of government, and to rely entirely upon its disposition to economy and retrenchment. But he should be glad to know the grounds upon which such confidence was claimed. If the House had relied upon the disposition of government towards retrenchment, would the property tax have been rejected? Would the military and ordnance estimates have been reduced below the scale at which they were drawn up in the first instance? The chancellor of the exchequer had no doubt stated that a reduction to the amount of 400,000*l.* had taken place in the naval department, and for this reduction the right hon. gentleman and his colleagues were entitled to his thanks. But then it must be recollected that all this reduction applied to underlings in office. For the salary of no one in the higher departments of official service had been touched. No—not one branch of any high family, nor any member of that House, had had his salary or emoluments in the slightest degree reduced. For amidst all the professions of economy it was not deemed expedient, in any instance, to lose sight of ministerial influence—that influence which Mr. Burke in his wonderful speech in 1780 so ably exposed, was steadily kept in view. The various reforms which that great man sought to establish, but which his endeavours to attain, were still to be looked for. And if those reforms were so desirable, in Mr. Burke's judgment, with a view to diminish the public burthens at the close of the American war, how much more desirable were they at present, when those burthens pressed with such aggravated weight—when the distress of our agricultural interest was considered, which distress was in no degree relieved by the late lamentable rise in the price of corn; for that rise was one of the consequences of the public calamity. In order to promote the reforms alluded to he was an advocate for the appointment of a committee of inquiry. The right hon. gentlemen, however, opposed this proposition, and upon very extraordinary grounds, for instance, lest such a committee should supersede the commission nominated by the treasury. But where would be the harm if even such a supercession took place? for the members of this commission might be introduced into the proposed committee. Nay, the chancellor of the exchequer might contrive to have half a dozen more of his friends appointed upon that committee, who might adduce all the information they could derive from their connexion with government, and thereby point out the fox for the other hounds to follow [a laugh]. But, upon the whole, the appointment of this commission was extremely suspicious, for this appointment had taken place within a day or two after his noble friend gave notice of this motion. This, unfortunately for the credit of those who made the appointment, was evident from the date of the treasury minute upon the subject. The appointment of this commission, then, it was fair to infer was suggested, or at least hastened, by the proceeding of his noble friend, and it was not unfair to suspect that the object of that appointment was, to prevent a committee; that, indeed, it was intended as a mere delusion, to avert an effectual inquiry by a committee of that House. The country could not therefore repose any confidence in the proceedings of such a commission, and if the House did not adopt his noble friend's motion, it was easy to conclude what their constituents would think of them. If after the number of petitions presented to that House, stating the distress of the country, and earnestly praying for retrenchment and economy, it should be found that the House had only in one instance (no doubt a very important one), evinced any attention to those petitions, what opinion were the people likely to entertain? When it was found that no considerable reduction had taken place in the public expenditure in compliance with these petitions, and that all that was done with a view to reduction, was the appointment by ministers themselves of a commission to inquire into any unnecessary expenditure in their own offices, the people would surely have reason to murmur. If that House wished to satisfy the country, it should appoint a committee of its own to inquire into this important subject; and still more, as the existing commission was not to extend its inquiry to any of the higher offices of state. Among those offices it was notorious that reduction was very desirable and practicable. For instance, the salary enjoyed by some of the puisne lords of the admiralty ought to be reduced. At least their case was such as to call for inquiry. But this was a case which the commission was not, it appeared, at all to consider, for such consideration might interfere with ministerial influence. The chancellor of the exchequer was no doubt as well disposed to economy as any other person likely to occupy his office; but with all his disposition to economy, when opposed by influence, he apprehended that the right hon. gentleman's economic disposition would yield. For the influence of the Crown was too powerful for the right hon. gentleman to withstand. That influence had indeed grown of late years to an enormous height. There was not, perhaps, a private family in the kingdom which had not occasion to say, "thank you," to the commander in chief, for granting a commission or promotion to some of its younger branches. But this was only one of the many means by which the influence of the Crown had been of late years so much advanced. He did not mean to say that the government should have no influence, but he thought that its influence should depend upon its respectability of character and conduct, instead of resulting from favour or corruption. But if ministers were not to resort to favour or undue influence, he apprehended that the attendance of their partizans upon an occasion of this nature would not be so numerous. [Here lord Castlereagh looked at the benches behind him, which were not very full.] The noble secretary might look round him, but no doubt the attendance of his supporters would be numerous enough by-and-by, when the House was about to divide. Among that attendance too, there could be no apprehension that the puisne lords of the admiralty would not be found. Hence the salaries of all these lords would be left untouched by the existing treasury commission. Mr. Burke had once observed, that the revolt of thirteen bedchamber lords would alarm ministers more than the revolt of thirteen colonies, and the present ministers would no doubt feel it inexpedient to provoke the revolt of the puisne lords of the admiralty, or any of their supporters in that House. Therefore, an inquiry with a view to reduce any salaries or emoluments enjoyed by those members, should not be left to the conduct of ministers. The House itself should undertake such inquiry, or it could not be effectual to the end in view. If left to the treasury, there might be some scraps of saving in minor offices, but the House might rely upon it that no attempt would be made to reduce any of the sources of ministerial influence. The House, in order to appreciate the character of ministers, and the sincerity of their professions of economy, should recollect that no measure of economy was actually taken until they were deprived of the means of expense by the rejection of the property tax [Hear, hear!]. As the House then had set those ministers one great example, let it only set them another example, and they would be obliged to go still farther in actual economy. They would do so no doubt with a view to say "see, we are as good as you—we are ready to go with you step by step." For those ministers were heard now to say—"You desired inquiry, and we have appointed a commission for the purpose." But with this commission he was by no means satisfied, nor did he think it calculated to afford any satisfaction to the country. The commissioners were not, to be sure, in place. The noble lord (Binning) was not yet a placeman; but then the noble lord had some sort of honorary connexion with the government. To use an expression of Mr. Burke, the noble lord was placed in that political hotbed where it was hoped to ripen him into something more effective for the public service. The House could not expect that such a commission would institute any very rigid inquiry into the expense of any public department. It would, indeed, be absurd to indulge such an expectation. Therefore the House should, for its own credit, and for the satisfaction of its constituents, take the subject into its own hands, and appoint a committee, agreeably to the motion of his noble friend.

Lord *Binning* said, that as to the case respecting the lords of the admiralty, he would refer the noble lord to his noble friend who had made the motion, who was so competent to afford any necessary information upon the subject, and who, no doubt, when a lord of the treasury, acted from motives quite as honourable as those by which he was actuated on the other side of the House. That noble lord would, he dared to say, tell his noble friend, that when in office his votes were not influenced by any spirit of corruption. Why, then, should the noble lord imagine that such a spirit influenced the conduct of other individuals? With respect to the commission of which he had the honour to be a member, he would only say, let the result of the labours of that commission speak for itself. He could assure the House, that he entered into that commission, as he came to the discussion of the present question, with as strong an impression of the necessity of economy, and as lively a sympathy for the distresses of the people, as any individual could possibly entertain. He remarked upon the inconsistency of the gentlemen on the other side of the House, who, while they uniformly maintained heretofore that government was bound to institute inquiry, and promote reform in every branch of the public expenditure, and who argued that government was most competent to produce an effectual reform, to which ministers were pledged by the Regent's speech at the opening of the session, now loudly objected to an inquiry instituted by that very government. Now, forsooth, those gentlemen held quite a different language from that which the House had always heard from them, previous to this evening. How would the country appreciate such inconsistency? The very gentlemen who constantly called upon ministers to inquire and reform, now complained of those ministers for complying with their call. Ministers had appointed a commission of inquiry, but those gentlemen said—"We do not like this inquiry—it is brought forward under unfavourable auspices—do not wait for the result of its labours—do not repose any confidence in the government that has appointed it;" and yet, without confidence, it would be impossible for any government to go on. But those gentlemen would deprive government of any degree of confidence, and would transfer to a committee of that House, an inquiry, instituted by a commission, which was assured of the co-operation of the heads of every public department, and which had therefore the best opportunity of obtaining every necessary information. The rational part of the public would, he had no doubt, disapprove of a proposition, which he trusted that House would decidedly reject. He was an advocate for the most jealous inquiry into the public expenditure. In that spirit he would indeed conduct himself in the commission, for the result of whose investigations he trusted that House would wait, before it decided upon the character of that commission. The House would also, he had no doubt, in its candour, give due credit to the disposition of government towards economy, from what it had already done to prove its sincerity. With regard to the proceedings of the commission, it naturally commenced its operation by inquiry into the offices created in consequence of the war. This was a course of which he thought no rational man could disapprove. For it was, in the first instance, material to ascertain whether, on the conclusion of peace, any of those offices could be dispensed with, or their emoluments reduced. In looking to this point, it was obviously necessary to consider what duties were to be performed in the several offices; and who so competent to afford adequate information as the heads of those offices, who co-operated with the commission? The commission did not propose to inquire into the salaries or emoluments of the high officers of the state, because the commissioners felt that ministers were themselves the best judges. These salaries and emoluments were, indeed, matter of notoriety, and it was open to any member to bring forward a specific motion respecting them. For instance, it was open to the noble lord, or any other member, to submit a motion with respect to the salaries of the puisne lords of the admiralty, of which so much had been said, and the House could judge of the case upon its own merits. But it was not proposed to extend the inquiries of the commission to subjects of that nature. As to the date of the commission, he could not speak precisely as to the noble mover's assertion. But he was enabled to say, that long before the treasury minute upon this subject was dated, circular letters were addressed by the treasury to the heads of the several public departments, desiring a return of what reductions might be made in their offices consistently with the due discharge of public business, and whether any offices could be conveniently suppressed. This fact served to demonstrate the economic disposition of government, and that that disposition was not suggested by the notice, or by any speech of the noble mover. Therefore the allegation of the noble lord who spoke last, was not correct. But, notwithstanding the high ground which that noble lord had taken, no doubt with a view to produce an impression out of doors, he would ask, whether he could seriously think that any practicable reduction in the expenditure of the public could produce any material diminution of the taxes of the country? The noble lord who spoke last had insisted that the sole object of government was, to retain all the influence in their power. He (lord B.) did think, that when he stated what had been done, the noble lord might think he had gone too far in that sweeping accusation. He did assure the House, that many offices had been reduced that were productive of much and extensive influence, and he was not ashamed to say, that the reduction had been a most painful effort;—he meant in consideration of the distress it occasioned to many industrious individuals; for he was not stoic enough not to think that any circumstance which was the means of depriving persons of a subsistence, who, in the state of things which then existed, had every reason to look for a continuance, was in itself highly unpleasant. Mr. Burke had most truly observed, that parsimony had much of the quality of unkindness, and that retrenchment ever fell somewhere as a punishment: nevertheless he admitted the necessity of these retrenchments, how painful soever they might be. He agreed that the honour of parliament ought to be as dear to ministers as any consideration whatever, and that every practical economy should be carried into effect. He had stated that the government of the country had put themselves on their trial in this question, and he was convinced that they would redeem the pledge that had been given. The noble lord concluded with expressing his intention not to give a direct negative to the motion, since he approved of inquiry, but to vote for the previous question proposed by the chancellor of the exchequer.

Mr. *Brougham* said, that much as he was before disposed to concur in the motion of his noble friend, and in the arguments urged in support of that motion, he was still more inclined to that concurrence after having heard the speech of the noble lord who spoke last, for a tissue of arguments more tending to the support of a motion which they were intended to oppose, he had not often heard within the walls of that House. The noble lord, with much apparent simplicity, had asked what reason there was for distrusting the government? Had they not pledged themselves to carry into effect the most rigorous retrenchment? He would answer, Yes; they had indeed given pledges, but they had not redeemed them, and therefore it was that he should support the motion of his noble friend. They had talked of economy and retrenchment, but they had done nothing. [Hear, hear! from the ministerial benches.]—Why, what had they done? Would they venture to allude to their foiled attempt to increase the salaries of the two secretaries of the admiralty? Or to their actual increase of the salaries of the commissioners of excise and customs? An increase which had taken place at a moment when every ground for such a proceeding was absolutely cut from beneath their feet; when the burthens of the country were most oppressive, and when there was neither an overflowing treasury, nor any augmentation in the articles of subsistence. With facts like these before the House, what use was it to talk of pledges? Three whole months had elapsed, since the meeting of parliament, and not one retrenchment of any importance had yet taken place. [Hear, hear! from the ministerial benches.] The hon. gentlemen opposite, by their cheering, denied his assertion, and upon that point, he and his friends were at issue with them, and were willing to rest the whole merit of the present question. There was now on the table of the House, an account showing the progress which had been made in the increase and diminution of the public offices, and the salaries annexed to them; and the first thing which excited his attention upon examining that account was, that a total increase, to the amount of 136,000*l.* had taken place. The public were burthened with that sum, in addition to what they already had to sustain. The 136,000*l.* was independent of the retrenchments which had been made. Without making that allowance, the gross amount of the sum would be 200,000*l.*; and thus it was that the government went on, from year to year, increasing the number of office-bearers, and augmenting their salaries and emoluments. And what were the boasted reductions which had been made? Many of them arose from circumstances which the ministers could not control. Salaries, which there were no persons to receive, either from their having died in the course of the year, or from a change in the circumstances of the country, in consequence of passing from war to peace, that it would be too glaring and bare-faced to attempt their continuance. And upon such inevitable retrenchments as these, ministers now presumed to ask for the confidence of that House in their intentions. There was one item in that document, for example, classed under the head of savings, to which mere necessity had driven them. It was 30,000*l.* charged in the department of the master of the horse; and it was physically impossible to continue that charge, for it had arisen in consequence of the visit paid to this country by the allied sovereigns in 1814. When they returned to their respective kingdoms, and we had no longer emperors and kings among us, the expense incurred by their presence necessarily ceased; and yet that item formed a part of the vaunted economy of government; and credit for it was taken by the noble lord as if it were a voluntary diminution on its part, in redemption of the pledge given at the commencement of the session.

He did not wish to detain the House at any great length; but there were one or two parts of the account already alluded to, which he was anxious to press upon their attention, by way of sample. In the commissariat department, which it might be supposed would naturally be reduced upon the return of peace, if not wholly abolished, he found two persons added, and an increase of salaries to the amount of 5000*l.* a year. He certainly could not understand the reason of this augmentation; and it was because he could not, that he wished to have a committee appointed, who might, by their inquiries, elucidate the transaction. It might be said that all this was on account of the last brilliant campaign; but was it not extraordinary, that the battle of Waterloo was over last Midsummer, that six months had elapsed, and that then, instead of any diminution, two officers and 5,000*l.* salary were added? In the department of the storekeeper there was an increase of six persons, carrying with them an expense of 4000*l.* and there was no decrease. Upon that point also, he had no doubt a committee would be able to afford some explanation. In the department of the ordnance he found another item which equally required explanation. A new office was created; or if not absolutely a new office, at least the salary had been increased. He alluded to the secretary to the master-general of the ordnance, whose allowance had been augmented by

500*l.* a year. There were several other cases of increase in the same column, and reasons for some of them were assigned; such as the establishment of new stations, the erection of a powder magazine, enlarged duties, and in one instance, in order to put the individual upon the same footing as the first clerk. The last reason, if it might be called one, was certainly rather odd, and he was not aware before that it was any object, in making out the accounts, to have a perfect symmetry and beauty in their proportions. But for the increase to the master-general's secretary, no other reason was assigned than the warrant of the prince regent. Now this was no reason at all; *stet pro ratione voluntas;* such a warrant was no justification whatever. In the customs there had been an enormous increase both of office-bearers and of expense; no less than 134 new offices were created, with an expense of 137,000*l.* a year. Allowing, however, for the diminution of offices and salaries, during the same period, and striking the balance, there would still remain 110 new offices created, and salaries to the amount of 60,000*l.* per annum; the whole of which augmentation had taken place during the last year. In the excise, 48 new offices had been added, and no diminution on the other side. The salaries of those officers were 24,000*l.* a year. There was another department, the mint, in which it might have been thought, after the repeated discussions in that House, respecting the state of the currency of the realm, that no attempt would be made to enlarge the expenses. It might have been imagined, if there was any department under government, any recess into which the spirit of augmentation and expenditure, for the sake of patronage and increasing the burthens of the country, would not have penetrated, the mint was that precise department. And, indeed, so little pretext had they for any increase,—so little work was there to do—that they were not able to make any material enlargement. It bore no proportion to the increase of salaries and offices in the other departments; nevertheless, new appointments had been found out. There was the master's porter, with a salary of 52*l.* per annum, and an office sweeper, with somewhat less, being, he supposed, inferior in dignity to the other personage. He did not complain of these places or emoluments, as adding much to the public expenditure; he mentioned them only in answer to the challenge of the noble lord, and to show how far the government were really deserving of the confidence of parliament, in their disposition to retrench and economize.

But, said the noble lord, what reason was there to distrust ministers? Why should the matter be taken out of their hands, when it was admitted they were so much more capable of effecting the necessary retrenchments? He would reply to that, that it was not because he doubted the power of ministers to enforce practical economy that he withheld his confidence; it was not because they were worse qualified to accomplish it; but because he doubted their inclination. He believed they had no intention to retrench. He knew, at least, that they had not retrenched, and he could judge of their intentions only from their conduct. All the steps which they had taken in the business were towards one part only; limited in their direction and carrying them onwards only a very short space. In fact, no steps at all had been taken until their table was covered with petitions, and the government shook under the ferment which their conduct had excited throughout the country. The season of economy commenced only with the season of public indignation, and with the rejection of the property tax. Even the three inquisitors of the noble lord, little as he valued their labours, and worthless and nugatory as he was sure they would be held by the country, were never appointed, he believed were never thought of, until the notice of his noble friend for the present motion,—a notice which it was well known would experience the greatest favour in that House, and the most unanimous concurrence out of it. Remembering all these things—beholding in the conduct of ministers nothing but the tardy, reluctant efforts of compulsion,—convinced that they would retrench only so far as they might be driven to it, and no farther,—how could it be expected that he, individually, how could it be expected that parliament, should confide in their assurances? Words cost them nothing, and words they freely bestowed. Promises they lavished in profusion, because promises they hoped would lull the vigilance of that House. But he trusted the decision of that night would prove to them, and to the country, that the solemn duty now devolved upon them would be faithfully discharged. There were other proofs which he could cite, to establish the insincerity of government upon the question of public economy. When the estimates were first brought forward, they were stated to be a minimum. A noble lord, whom he was sorry not to see in his place, said that they were framed upon a calculation of the lowest penny. There could not be a man less; not a farthing less. The existence of the country, the safety of her colonies, required every regiment, and every hundred pounds. Yet, after the money was gone which was to supply that expenditure, when our establishments at home and abroad were to be the same, when our colonies were to be continued as before, when no idea was entertained of surrendering any portion of our territory, the estimates were taken back for further consideration, and were considerably reduced. Why were they reduced? Because that House and the country began pretty loudly to express its sentiments [Hear, hear!]. The petitions which came up from all parts, took a new turn. They did not confine themselves merely to the property tax; they spoke, in firm, but respectful language, of the large military establishments; and not till then did the government (because they durst not do otherwise) revise and retrench those estimates, which they before said were perfect and reduced to their lowest [Hear, hear!]. That, he thought, was another reason for supporting the motion of his noble friend.

In the document before the House, some important details were afforded respecting the board of works. That department appeared to have undergone a little revolution, commencing from the month of April in the preceding year. Comparing the present with the former establishment, great changes had been introduced, especially in regard to salaries. The surveyor-general, for example, instead of having 500*l.* a year, now had 1,500*l.* Why? He should like to know the grounds of that alteration; but he could never know them from vague assertions made in that House. The information could be obtained only in a select committee. No papers, no returns, no desultory debate, could afford the requisite information—that information which the people, which the situation of the country, and which the condition of the finances had a right to exact from ministers. Then, there was an assistant surveyor-general and cashier, with a salary of 1,000*l.* a year. There might be a good reason for that salary and appointment, but he should like to have the reason. It did not appear that there was any other officer, with the same salary, whose appointment had ceased. Whether, therefore, it was to be considered as a clear addition in the expense of that department, or a substitution, he could not say. There were also two engrossing and copying clerks, with a salary of 250*l.* a year each; and two assistant examining clerks, whose salaries amounted to 550*l.* A new office was created, too, for what were called the three attached architects. What the meaning of attached architects was, he did not pretend to know; he supposed it had one meaning, that the individuals were cordially attached to their salaries, for it turned out that they had 1,500*l.* a year of the public money. There were five clerks of the works, with salaries amounting to 1,600*l.*; twelve labourers in trust (another official term which baffled his comprehension), with a salary of 100*l.* a year each. Ignorant as he was of the arcana of office, he could not be expected to understand the nature of the service performed by those persons, which rendered them necessary; but he knew that more offices were created by the new arrangement than what had subsisted under the old. Again, therefore, he would repeat, that nothing but a committee could enable the House to sift these matters to the bottom. The explanations of the hon. gentlemen opposite would not be at all satisfactory. The scrutiny of a committee was the only true course of proceeding. There they could bring assertions to the test of evidence. There they could examine persons, and receive depositions from them, which, though not upon oath, yet they knew that what they said would be taken down, and they were responsible for the truth of their evidence.

But it was said a parliamentary inquiry would be so tedious. He did not see why a select committee should be so slow. And, indeed, his noble friend had introduced a clause into his motion as if to anticipate that very objection, requiring the committee to report from time to time, with all convenient dispatch. So that if the committee were to sit to-morrow, and find a department capable of retrenchment and modification, they might report immediately to the House, and a bill might be brought in in the course of the present week for regulating it. Could as much be said of the commission which the noble lord had appointed? What had they done? Nothing. Had they made any report? No—[Hear, hear! from the ministerial benches]. To whom had they reported? Was their report upon the table of that House? If they had reported to government, why had not government acted upon their report? In one way or other, therefore, a delay of four weeks had taken place, during which time it did not appear that any thing had been done towards the practice of that economy about which so much had been said by ministers. He would venture to predict, that if any important office or salary had been abolished, or any considerable reduction made, in consequence of the labours of that boasted commission, the noble lord would not have gone through his speech without stating the extent of those retrenchments. There was one material defect in the appointment of the commission. They acted under instructions which were wholly incompatible with the attainment of the real objects of the inquiry. They were confined to a limited period, having to inquire only into offices which had been added since 1792. But there were many establishments, many great salaries, existing prior to 1792, which ought to be subjected to the most rigorous examination. It would well become them, when carrying their retrenchments into minute branches of the public service, when cutting down salaries of petty clerks, and putting others upon superannuated pensions, to see whether there were not persons in greater stations, occupying larger offices in the country, endowed with more ample salaries, who might justly come under the investigation of that House. He called upon the noble lord to say whether any salary had been saved to the public, which salary amounted to a considerable sum, the holder of which was an individual of rank, or where the salary itself gave patronage to the Crown, and influence in parliament? Why were not the lords of the admiralty, for example, overhauled, if he might use the expression? There were a first lord and six others, three of whom were lay-lords, or landlords. He was not very well acquainted with their proper designation; but, whether they were to be called lay-lords, or landlords, or by whatever other title they were called, he was certain they were useless lords [A laugh]. The noble lord who spoke last had referred him to his noble friend who brought forward the present motion, for an account of the duties of the puisne lords of the admiralty and treasury, and desired to take his opinion on the expediency of reducing their numbers. The noble lord had made this reference with a kind of triumph, and certainly anticipated an answer unfavourable to his (Mr. Brougham's) argument [Here lord Binning said across the table, that he merely requested the hon. and learned gentleman to apply to lord Althorp for information, and had manifested no desire of triumph]. He had obeyed the noble lord—he had conversed with his noble friend upon the subject, and found that his opinion, and the information he afforded, entirely concurred with the policy which he was now recommending. That information, with all the weight attached to it, his noble friend was well calculated to give, from his near relationship to a noble statesman (earl Spencer), who, at the head of the board of admiralty, swayed the naval resources of Great Britain, to his own immortal honour, in one of the most trying situations, and during a series of the most tremendous conflicts that this country ever witnessed. He was authorized to say from him, that during a season of the most active warfare, when the enemy had powerful fleets at sea, when we were obliged to defend our extensive commerce from hostile aggression in all quarters of the globe, and when our shores were threatened with invasion—in short, in the very heat, and bustle, and exertions of the most vigorous naval contest, lord Spencer had given it as his opinion, that he had more lay-lords than he had any use for. If, then, as he had found upon the inquiry recommended to him, he was authorized to state, that in the most important war that this country had been ever engaged in, and when we had more than 1,000 ships to be directed, two or three of the puisne lords of the admiralty could be spared, in the opinion of a competent judge, what reason was there for supposing that the full number was now necessary? As a great part of our naval establishment had been reduced, their number should likewise be diminished. This inference he was authorized and compelled to draw. He might recur to another authority in support of this conclusion; namely, the authority of a report made by a committee of the House of Commons, of which the present Speaker was chairman. He, indeed, owed some apology to the noble lord, and the right hon. gentleman opposite, for presuming to appeal to authority which they so much disparaged, and for taking any assistance from that slow, tedious, indecisive, and inefficient instrument, a committee appointed by the House, which, in comparison with their own treasury commission, they were disposed so much to vilify and oppose. He would, however, state the opinion found in this document, which was the 17th report of the committee of inquiry into the civil department of the admiralty. After giving its opinion against any reduction of establishment during the continuance of active hostilities, it suggested it as a subject for future deliberation, whether, at the termination of the war, and the consequent diminution of our naval force, it might not be proper to carry retrenchment of office into the board of admiralty itself. Here was an admission that peace would allow a reduction of the board of admiralty. He was willing to confess, however, that such an opinion, as it merely emanated from a committee of the House, and not from a government commission, might not carry great weight along with it: but if it was of any use, it entitled him to infer, that the salaries of two of the lay-lords might be saved to the country without detriment to the public service, and that a commission appointed by the treasury, with instructions not to extend their inquiries into places that might so beneficially be abolished, was to be considered as a mere mockery.

He would next advert to the board of treasury: and here he was happy that he had his noble friend's authority, founded not, as in a former instance, on his father's experience, but on his own, for stating that he thought the places of some of the puisne lords useless. There were here six lords, and only two, the first lord and the chancellor of the exchequer, were effective. Like the lay-lords of the admiralty, the rest were required to do nothing but sign certain minutes, which might be as well signed by any other individuals, or without any signature at all but that of the effective members of the board. There were other offices to which, if he were not trespassing on the time of the House, he might advert. He could not pass by the board of control, as a fit subject for economical reduction. The secretary's office here was a sinecure [Hear, hear! from the ministerial benches]. If it was not a sinecure now, he could say that it was so considered both during the administration of Mr. Pitt and Mr. Addington. A change must lately have taken place by which it was rendered effective, for, before it was filled by the hon. gentleman who now enjoyed it, no duties were attached to it. Some of the commissioners might be reduced, as the president was the only active member, and was capable of fulfilling all the duties of the board. But if we might judge from late occurrences, even his employments were not very urgent. It was now nearly three months since the death of the earl of Buckinghamshire, who lately presided over that board, and no successor had been appointed. For some time before his death he had been disabled from giving that close and regular attendance which an efficient situation would require; but, notwithstanding this long virtual and actual vacancy, there was no complaint that inconveniences were experienced. What was the language of such a statement as this, but that there was no great pressure of business at the India board, and that the duties of that establishment might, by some arrangement or other, be transferred to the colonial department, without detriment to the public service, and be a great saving to the public purse? Much of the public money would thus be saved; but the most important saving would arise from that reduction of influence in a government that was already too strong for the constitution. Not one of those places which he had spoken of would be touched by the treasury commissioners: not one office which gave an influence in the House would come within the scope of their inquiries. Yet all these situations ought to be abolished in time of peace, because they were useless, and the money that they cost the country should be given up to the people, or expended on active and beneficial services. They should be abolished, because the country required relief, and because there would thus be a saving: but it was not alone on account of the value of the salary which their reduction would save that they ought to be abolished, but for the value of the liberty that they saved to the country [Hear, hear!].

He might be asked why he seized the present moment to go back to the consideration of offices that our ancestors had sanctioned, and which had existed so long without scrutiny or challenge; and he was not at a loss to return a satisfactory answer. The last war had been so long and so extensive—it had altered so much the habits of our political constitution, and made such inroads upon our liberties—we had arrived at such a state which was called peace, but which entailed upon us all the expensive establishments of war, and was connected with distress which in war we did not feel—our debts had increased to such an overwhelming and alarming amount, and had changed so much the property of the country—our colonies had been so greatly (he would not say disproportionally) multiplied—the establishments of government, and consequently government influence had been so much extended beyond what our ancestors could have conceived or permitted—the patronage of the Crown had acquired such increase, that it was now high time to take some steps to restore the constitution to its former vigour, to recommend a return to the spirit that appeared in the better days of our history, and to ward off the ruin that threatened our national character, our institutions, and our privileges. If the necessity was now urgent, the occasion was likewise favourable. The noble lord had boasted of his negociations; and, certainly, if his treaties were worth the value of the paper on which they were written, or if our victories were worth the money that had been expended in celebrating them, we had now arrived at a period of profound repose. No enemy threatened us from without, and not the slightest whisper of tumult or disorder was heard from one end of the country to the other. There was nothing, therefore, to alarm us in any quarter, or to draw our minds off from attempts to rectify and ameliorate our condition by salutary reform. We could not be met by the terrifying phantom of the dangers of innovation, nor could our endeavours be paralyzed by pointing out the appearance of popular excitement or disturbance. In God's name, then, let us apply ourselves in earnest to restore our institutions, to improve our national character, to return to the maxims of economy, and to heal the wounds of the country—that at the end of the session, members may have the consciousness of having conferred substantial benefits on their country, and, when the prorogation arrives, may meet their constituents with the consciousness of having performed their duty, and of having, to a certain extent, repaired the injuries which war had created [Hear, hear!].

Lord *Binning* said, that the commission of which he was a member could not report to the House, as they were instructed to report to the treasury; but they had not been idle—they had already made several reports.

Mr. *Robinson* said, that the hon. and learned gentleman had made a very ingenious speech, but a complete fallacy ran through the whole of it. The hon. and learned gentleman had argued on the papers now before the House, as if they referred to the state of the offices to which they related at the present time; whereas he must have known, that they were framed in the last session of parliament, and framed with a reference to a state of war rather than to a state of peace. Having stated this, it would be seen, that the arguments of the hon. and learned gentleman fell at once to the ground, unless the hon. and learned gentleman could show, which he defied him to do, that no alteration had been made in the course of the present year. On the subject of the office of the secretary of state for the colonial department, the hon. and learned gentleman had wasted a great deal of his eloquence, as very considerable reductions had taken place in that particular office. The same observations could be made, if he were to follow the hon. and learned gentleman through all the other statements which he had advanced. In so doing, he could prove that the documents on which the observations of the hon. and learned gentleman were founded, had been framed to meet a state of war. The increase of expense, to which the hon. and learned gentleman had alluded, would be found to have been greatly diminished, and consequently, what had fallen from him that night was a complete fallacy. In the pay-office, last year, there was a diminution of expense, amounting to but 7,000*l*. Since last January, a further reduction had been made to the amount of 30,000*l*. It certainly appeared, that there were some additions in the customs and excise. These had no reference to a state of war, but to a state of peace. During peace, the practice of smuggling became more general than in time of war, and in consequence, greater efforts were necessary to repress it, and to protect the revenue. This alone would be sufficient to account for the increase of expense under the heads he had mentioned; but he was prepared to contend, that because additions had been made to an efficient office, it by no means followed, that a *primâ facie* case had been made out against ministers of being negligent of economy. On the subject of the office of the surveyor-general of the works, the hon. and learned gentleman had enlarged, as if he considered this to be a most outrageous job; as if it furnished the fullest evidence of a total disregard of economy on the part of ministers: indeed, from the manner of the hon. and learned gentleman, he hardly knew what he thought of it. He had dwelt particularly on the 500*l.* and on the 1,500*l.* which were put down against this office, as if the most extravagant waste had taken place with respect to it. The hon. and learned gentleman had not been in parliament for several of the last years, or he must have known more than he appeared to know about this office, in regard of which he had been so loud in his censures of government. Had he been in the House, he must have known that in the session before last, a bill had been brought in for creating this very office, and that the salary now attached to it, which he considered as being most extraordinary, had been attached to it by act of parliament. Before the office was created, those who performed the business of it, instead of the salary by which it was now remunerated, were allowed a per-centage on all the materials purchased for government; and the amount of the produce of this per-centage was so great, that the salary now given in lieu of it, instead of being an increase, actually constituted a diminution of expense. On the same principle on which he had defended the office of the surveyor of the works, he might defend several others which had been subjected to the animadversions of the hon. and learned gentleman, namely, on that of their having been established by act of parliament. Under these heads, if an increase of expense should appear, it did not follow that a committee ought to be appointed to inquire into the cause of such increase, and it could not be shown that there were any grounds for censuring ministers. It should seem from the observations of the hon. and learned gentleman, that he was not aware of the existence of that act of parliament to which he (Mr. Robinson) had particularly alluded. [Mr. Brougham intimated that he was no stranger to the act mentioned by the right hon. gentleman.] The hon. and learned gentleman, if he knew of that act, must have forgotten it at the moment; or else it was very odd that he should make those remarks which had escaped him. The act he had mentioned furnished a satisfactory justification of the office which had been objected to, and he should like to know if it was a sufficient ground for the House to institute an inquiry, that the hon. and learned gentleman had little or no information on the subject. If the hon. and learned gentleman was at all acquainted with the act to which he had so frequently had occasion to refer, it was odd that he should have complained of the "attached architects," as these were established by the same bill.—He complained of the course pursued by the hon. and learned gentleman in the strictures which he had made on this subject, and on the artifices to which he had had recourse, in order, unfairly, to make out such a case as would answer his purpose. He had noticed the twelve "labourers in trust," and had commented on this phraseology. It might be very bad grammar, but still it was the language of an act of parliament, and he believed it to be an old English mode of expression. He did not, however, mean to stand up for its correctness, but at the same time it appeared to him as intelligible as many other phrases which were allowed to pass current. Whatever difficulty might be in the way of understanding this, he should be quite as much at a loss to comprehend what was meant by a "professor of medical jurisprudence." That phrase might be a very proper one; but if it were allowed to pass unquestioned for its singularity, the hon. and learned gentleman ought not to be quite so hard on the wording of our acts of parliament.—He now came to notice what had fallen from the hon. and learned gentleman with respect to the three lords of the admiralty, who it seemed so long ago, as when earl Spencer was in office, had been found perfectly useless. Of earl Spencer he was sure he had as high an opinion as the hon. and learned gentleman, or any man in the country could have, but he was a little surprised at hearing the statement that that noble earl had thought the three lords in question wholly useless. All he could say was, that from the experience he had had, he could not agree with this assertion, and felt himself called upon most positively to deny that the situations of these lords were sinecures. While he was at the board, he had found that constant duties were attached to them, and when he had retired for a little relaxation, it was found necessary to employ others to perform them. If the hon. and learned gentleman who had complained of these offices as useless, were to try one of them, he would soon find it was no sinecure. Some of the duties which he (Mr. Robinson) had had to perform were of a most painful nature. The proceedings of courts martial in cases of life and death (as there was no reference to the Crown) were brought before the lord high admiral and the board. These he had been obliged to read over; attentively to consider, and finally to report on them; and this duty he thought it would easily be conceded to him, was nothing like a sinecure, either in labour or in feeling. It would also be admitted, that this was a duty of some importance: whether he had performed it well was another question; but what he had said would prove that the office was not wholly a useless one. He felt it necessary to offer a few words on what had fallen from the hon. and learned gentleman towards the close of his speech, respecting the board of control. In the first place, he denied that the members of that board who received salaries had nothing to do. He could appeal to an hon. friend near him, who had given up almost his whole life to the service of the board, if he found his situation bore any resemblance to a sinecure. The hon. and learned gentleman had endeavoured to prove that the office of public secretary was a sinecure some years ago, but his hon. friend, who, in effect, did much of the business of the board, could testify that such was not now its character. During the administration of lord Sidmouth, the gentleman who was appointed to that situation, he hardly knew how to describe him, but he might say, he was an hon. member who had made himself very useful by the part he had taken in promoting the erection of penitentiary houses, had, he believed, found the office to be no sinecure. If he had found it one, he must have discovered some means of relieving himself from the duties of it, which others had not been so fortunate as to hit upon. The hon. and learned gentleman was totally mistaken if he supposed the illness of lord Buckinghamshire had at all interrupted, or suspended the business of the board. He, notwithstanding his illness, was unremitting in his attention to business, and though it required a great effort on his part to perform it, all the endeavours made to induce him to desist, and to take some relaxation, were in vain. He was not content to perform it at home, but, in opposition to the intreaties of his friends, persisted in going regularly to his office. Though in the last few weeks before he died, he was compelled to leave London, yet during the whole period, while labouring under the greatest affliction, in which he had ever seen any man, the noble earl's mind was wholly bent on the duties of his office, which he continued to perform, so far as this could be done while he was under the necessity of residing at a distance from London. During his abode at Bath he arranged the embassy to China, and transacted besides much business. Mr. Robinson said, he had seen him go through it while there, till in common with all the friends of that noble lord, he became alarmed for the consequences of such exertions on the part of a man in his declining state. This statement, he trusted, would be sufficient to correct the error into which the hon. and learned gentleman had fallen with respect to the board of control. It would, he trusted, prove that he had been greatly mistaken, and that the offices in question were far from being the sinecures he had supposed them to be. Under all the circumstances, he could see no reason for adopting the motion of the noble lord; and he trusted he had made good the assertion with which he had set out, that the speech of the hon. and learned gentleman furnished an ingenious fallacy, but no argument in its favour.

Mr. *Lamb* thought that, after all the explanations which had been given, strong grounds for inquiry still remained—an inquiry which, without any disrespect to the members of the new commission, would be better executed by a committee of that House. The right hon. the chancellor of the exchequer had founded his objections on the lateness of the session, and the tardy progress of a committee. He did not think that technical arguments like these were suited to a period of such severe and general pressure, or that they were such as could weigh with a House of Commons anxious to discharge its duties to the country. The House was now called upon to consider whether they would at length give to the people those benefits which they were expected to confer. It was said, on the other side, that confidence ought to be placed in the pledges offered by the Prince Regent's ministers; but he believed the pledge to which the public looked, and on which they founded all their hopes, was the solid and substantial one given by that House in its defeat of the minister's project for renewing the property tax. If the House did not redeem the pledge then given, they had only excited idle expectations, and acquired a delusive popularity [Hear, hear!]. He could assure the noble lord, that his absence from a seat in that House, to which he had only returned this session, had but served to confirm his conviction of the embarrassed situation of the country, and of the extraordinary symptoms which had accompanied the return of peace. It was not, he admitted, surprising that a war which had shaken every throne in Europe, and driven every system of finance except our own, through the ordeal of bankruptcy, should in its conclusion be atttended with extraordinary effects. Such multiplied and disastrous occurrences could not pass over own heads like a summer cloud, and leave no trace behind. The country, however, had done its part: nothing was to be seen but a spirit of cordial co-operation, and mutual desire to accommodate. A noble lord opposite had talked of attempts at propagating a base delusion. He had seen with as much regret as the noble lord a few exaggerated statements in different publications; but in that House, and on the part of his hon. friends, he denied that any practices had been adopted, or any topics adverted to, which were calculated to produce erroneous impressions. In point of fact, he did not believe that any delusion existed in the public mind in relation to this subject. The public were as little led astray into wild expectations, and had as clear and distinct a view of what was practicable in retrenchment, as the noble lord. What was looked to was example, and the effect of just principles adopted with sincerity, and carried into operation with vigour. Since the period when he had first the honour of a seat in that House, he had never seen in it so much apathy to considerations of economy—an apathy too well corresponding with the disposition of the government. He begged, however, to warn ministers, and to implore the House not to entertain the belief that a similar apathy was to be found in the present silence of the people [Hear, hear!]. It was an unfortunate coincidence, that this indifference hitherto manifested, except on one memorable occasion, should occur at a period when popular meetings were suspended, and the expression of the public voice was consequently relaxed. Friendly as he was to such declarations of public feeling, he should be sorry to see the functions of the executive assumed on these occasions; and it would be most painful to him to find that a persuasion prevailed, that, without the constant superintendence of the constituent body, there was no security for the public service. Should such an opinion however prevail, it would be owing solely to the conduct of ministers. In ordinary times, inquiries of this nature were better intrusted to the government; but under extraordinary circumstances, and when retrenchment was to be carried far, and to be directed to great objects, he was satisfied that ministers had neither the courage nor the means of carrying it into effect by their own influence; and he submitted, therefore, the propriety of arming them with the authority of that House [Hear, hear!]. He believed indeed that no inquiry or reform instituted under the sanction of the present ministers could be effectual, or give satisfaction to the public [Hear! from the treasury bench]. It was true, perhaps, that no possible system of retrenchment or reform could satisfy all the hopes which sanguine spirits might conceive; but the mere mention of the word inspired nothing but distrust, when applied to the existing administration. He had had many opportunities of marking this impression on the public mind. It was chiefly founded on the attempt to impose unconstitutional taxes, and to procure the consent of parliament to exorbitant estimates, both of which they had been compelled to relinquish. This feeling gave a new colour to the language universally employed, and created an opinion, that it was necessary to watch every motion of the government, and that the best and only security for their conduct was, to withhold from them the public supplies. He begged them to reflect, that they held in their hands not only their own character and responsibility, but the character of the country and the safety of the constitution. Their measures most certainly, instead of exciting confidence or affection, had hitherto produced nothing but alienation, jealousy, suspicion, and distrust.

Lord *Castlereagh* said:—Mr. Speaker; I beg to assure the House, that I have listened to the speech of the hon. gentleman who has just sat down, with all the satisfaction which I used to derive from hearing him address to the chair, when he had formerly a seat in this House, and I do not differ from him as to the general principle on which he is disposed to discuss the question now under consideration. I am perfectly willing to join issue with him on this point—that no administration can or ought to exist in this country, which has not founded itself on a rational and well-considered system of economy, and which does not exert itself to carry that economy into all parts of the state, so far as the circumstances of the times, and the nature of the offices necessarily kept up, will admit of this being done. I perfectly agree with him in the feeling, that that government must be short-lived, as it ought to be, which does not effect every thing in the way of retrenchment and economy, that can safely be attempted; but I differ from him with respect to the present feelings of the people of this country; as I am confident, that, however strong their wishes may be in favour of a proper system of economy, they are not to be led away by the clamour raised on this subject, to wish that government, which has conducted the country so happily, and I may say with so much glory through the war, should now abandon those sentiments which they have always professed, and those principles on which they have hitherto acted, and on which they now depend to carry the country through the difficulties of peace, and thus to lose the most interesting reward for all their exertions—that of seeing the complete triumph of the opinions they have uniformly maintained. From the inference which the hon. gentleman seemed inclined to deduce from the supposed state of feeling in the country, that there exists any party which the country would prefer to that now in power, to have the administration of its affairs, I totally dissent. I deny that any wish has been proved to have been expressed in favour of any other party that may be opposed to the present government, and I hope it will not be contended that no party can be found to whom the people would willingly confide the authority of a government. If no party can be found in whose economy the people can place confidence, as none can govern them long without such confidence being reposed in them, I shall think the situation of the country bad indeed. This is a doctrine which I cannot suppose the hon. gentleman disposed to maintain. If, however, he is inclined to think that in economy, or in any thing else that ought to distinguish the administration of a country like this, the gentlemen about him stand higher in the estimation of the public, than their political opponents on this side of the House, I sincerely wish that he would endeavour to supply some practical proof of the fact. If this can be done—if it can be shown that the gentlemen in opposition to the government, and not the government, possess the confidence of the people, in God's name let the present ministers retire from their situations to make room for their adversaries; but do not continue them in office, and withdraw from them that confidence and those means of forming its own arrangements which the executive government ought to retain so long as it is permitted to exist. The suggestion of the hon. gentleman, that by the appointment of a committee to inquire what reductions may be effected, the interests of economy and the wishes of the people, would be better consulted than by leaving in the hands of ministers that power which now belongs to them, I deny to be correct, and I spurn at the protection which he offers by this committee, to save ministers from the weight of that responsibility which they must otherwise be content to bear. I seek no such cover as is here held out to me for what I may take upon myself to recommend to parliament; and I do not desire the impunity the hon. gentleman proffers. It is my wish to do my duty to my country, and to submit my conduct to the decision of parliament. The hon. and learned gentleman and his friends may attempt to delude the country by their statements on the subject of economy, retrenchment, and reform: but if they believe they have succeeded—if they think they have shown that the present ministers are less anxious on these points than themselves, and that the nation is satisfied with their showing—I desire nothing more than that this may be practically brought to issue. Till this is done, I shall fearlessly do my duty, by giving the Crown that advice which I think the interests of the country demand should be given, and cheerfully submit the result to the decision of parliament.

Having thus explained the principle by

which I am guided on this occasion, I shall now proceed to consider the substance of the proposition made by the noble lord. In looking at the case before us, important as it is to the best interests of the country, it divides itself into two questions perfectly distinct in themselves. They are both most important, but they are distinct considerations. There is that which relates to the patronage and influence of the Crown, and there is that which relates to the reduction of expenditure—to the subject of public economy. I will first offer a few words with respect to the consideration of economy. The speech of the noble lord was distinguished, as the noble lord's speeches in this House always have been, by the mildness of its tone and the moderation of its character; but certainly the noble lord has been induced to countenance the delusion attempted to be practised by the hon. gentlemen opposite, and more particularly by the hon. and learned gentleman, when they inculcate the notion that any degree of economy would afford a practical relief to the country. Sir, there cannot be a greater delusion than to declare that any economy which it is possible to observe, that even the sweeping away of all official situations, would afford a practical relief to what are called the sufferings of the country. I do not state this in order to diminish the responsibility of ministers on this subject, or to discourage carrying economy to the greatest lengths to which it can prudently be carried; but I state it, because it is an abuse to say that the greatest economy which it may be possible to introduce in our public expenditure can make the difference in the country between suffering and not suffering.

I now beg leave to make a few observations on that branch of the question which touches the patronage and influence of the Crown. Many gentlemen certainly entertain the opinion, that even before the war the patronage and influence of the Crown were excessive. No doubt, therefore, there are some who entertain that opinion at present. But this I can say with confidence, that it has not been the opinion expressed by parliament. I ask the hon. gentleman on the lower part of the opposite bench, if, on the discussion of this subject the general understanding of parliament was not this—that the patronage and influence of the Crown were not felt by this House to be excessive, and that the object was not to reduce that influence, but to introduce a principle of activity rather than a principle of sinecure. This, Sir, is the opinion of parliament recorded, after repeated discussions, in the resolutions of this House, which stated, that the influence of the Crown was not more extensive than was consistent with the interest of the country, but that it was expedient to convert the sinecure offices into some other modes by which the Crown might be enabled to reward merit in the various departments of the public service. Whatever, therefore, may be the sentiments of the hon. and learned gentleman and his friends on the subject of cutting down the patronage and influence of the Crown, that which I have already described is the extent of the opinion expressed by this House on the subject. If the noble lord means to endeavour to convince parliament that the patronage and influence of the Crown have grown up with the increasing expenditure, until it has become too great with reference to the liberties of the country (which, for my own part, I consider to be deeply interested in preserving the just patronage of the Crown), let him submit that principle to the consideration of parliament; but let him not, with a view to economy, strike at that legitimate and necessary patronage and influence of the Crown, which is recognized by the constitution, and which has always received the sanction of parliament.

But to come to that which is the true question before us; what is the course which parliament ought to take for the revision of those public offices, which are either of ancient establishment, or which have been created for the better conduct of the public service in that new state of things occasioned by the extraordinary course of events in Europe for many years past? I apprehend that to be the scope of the motion which we have to-night to consider; and the question is, how the desired reform can be most rapidly accomplished, and how the existing excesses can be controlled, until we arrive at that ultimate point which the interests of the country require. Sir, on this part of the subject I entirely concur in the opinion of an hon. friend of mine, who has said that if we mean to do this well, and to do it quickly, parliament ought not in the first instance to take on itself that which, properly speaking, is the function of the executive government. For, were a committee of this House appointed conformably to the motion of the noble lord, that committee must necessarily apply to persons in office for information, and must in a great degree be guided by their judgment. Is it, therefore, the course prescribed by common sense, to take the question in the first instance out of the hands of those who are the most competent to consider it, and to throw it, with all its crudities, into the hands of a committee of the House of Commons; which committee, having no knowledge whatever of the interior organization of the offices which it is required to examine, must seek for information from those who are alone able to communicate it? The objection made by my hon. friend to the appointment of the committee proposed by the noble lord, is not a permanent objection. My hon. friend did not maintain that parliament ought at no time to enter into the proposed inquiry. All that he contended for was, that the executive government should first be left to do all that it could on the subject; and that parliament should not in the first instance institute an inquiry; as it was by no means the most competent authority in which that inquiry could originate. A great part of the difficulty of the present question arises from the impossibility of reducing the expenditure of the various public departments instantly. Can a committee of this House judge of the best day, or week, or month on which such or such offices ought to cease? Are not the persons at the head of those offices, acting on their responsibility, and under the eventual control of parliament, better qualified to say when the day is likely to arrive on which the abolition of such offices may take place, without detriment to the public service? Would it not be better to refer the subject to those persons, rather than to appoint a committee of this House for the purpose of extracting from its proceedings a cover for his majesty's ministers, to screen them from the proper responsibility of their situations? Sir, I feel that I should insult the good sense of the House, by arguing this part of the question any further. On the face of the subject it is evident that it ought, in the first instance, to be left to the consideration of his majesty's government. If parliament should be dissatisfied with our conduct, then in the next session let the omissions of which we may be conceived to have been guilty, be pointed out. But nothing can be more absurd than that the hon. and learned gentleman and his friends should endeavour now to run a race with his majesty's government in this task. If the hon. and learned gentleman and his friends were in the government, they might perhaps do so with effect, but in a committee of the House of Commons, they would find themselves quite unequal to the undertaking. All this is, in my opinion, so obvious, that I shall abstain from troubling the House with any further observations upon it. If the House should think differently from me upon the subject—if they should be unwilling to leave the responsibility of this inquiry, in the first instance, in that quarter in which, according to my judgment, it ought to be left, namely, in the executive officers of his majesty's government—if the arguments of the hon. and learned gentleman should lead to a want of confidence in that government on the part of parliament, the best course which they can adopt is, to address the Crown to remove the ministers whom they cannot trust, but not to act towards them in a way which must embarrass and entangle the public service.

Sir, I protest against the course of argument adopted by the hon. and learned gentleman, in hostility to his majesty's ministers. We have done nothing that I know of which ought to deprive us of the confidence of the House and of the country. It ought to be no disqualification for the discharge of our other duties, that we discharged one of the most painful, (but which with our opinions was the most imperative), in advising parliament, after relieving the country of a burthen of eleven millions, to continue a productive tax, not for a permanency, but for two years only in order to sustain the credit of the country, and by that means more effectually to relieve the pressure on all classes of the community. I beg leave also to contend that we have not been justly exposed to the loss of the confidence of parliament and the country, by the mode in which we arranged the estimates submitted to the consideration of this House, and by the reductions which we conceived might with prudence be made in the public expenditure. The hon. and learned gentleman asks what ministers were about between June and the beginning of the session of parliament. The battle of Waterloo, he says, decided the war. Sir, the hon. and learned gentleman is one of those who are great prophets after the occurrence of the events which they predict. For myself, although I certainly thought that the battle of Waterloo would in all probability put a complete end to the war, I did not, until the actual conclusion of peace, consider it prudent or wise on the part of Great Britain to reduce her military establishments, whatever might be done with respect to our naval establishments, which, in fact, began to be reduced from the moment of the arrival of the news of the battle of Waterloo. As to the rate of the subsequent reduction of our military establishments, I do believe it was as rapid as was consistent with prudence and with the true principles of national economy. In one week after the ratification by France of the treaty of peace, the expenditure of the country was reduced from eighty millions to thirty millions. All reduction of this nature requires time. At the close of a war involving such a complication of objects, the movements towards a diminution of expense must be deliberate. Every thing must be done with order and accuracy. Nothing ought to be unduly accelerated.

What is the next reproach which it is attempted to cast on his majesty's ministers? That, in the course of the discussion which took place on the estimates of the army, we disclosed to parliament proposed reductions which, in the first instance, we did not particularise. Sir, if the hon. gentlemen opposite wish for it, I have no objection to give them credit for the active discharge of their public duties on this occasion; but then they must on the other hand allow me to say, that in my conscience, I believe the great mass of the reductions which have taken place, would have equally occurred had that activity never displayed itself. The hon. and learned gentleman founds his attack on his majesty's ministers on this subject, on the observation made by my noble friend, the secretary at war, who, when he introduced the estimates, said, that they were the lowest in amount which the circumstances of the time would admit. If the hon. and learned gentleman applies his remarks to the numbers of the army as stated in those estimates, I am ready to confirm the declaration of my noble friend, that the number was not too great as applicable, not to future years, but to the present year. In point of fact, parliament concurred in the reasons given by his majesty's ministers in the discussion on that subject; for no reduction took place in the number of the troops. But if the hon. and learned gentleman means to say that my noble friend did not allege that it was in the contemplation of his majesty's government to make various reductions not comprehended in the estimates in the collateral branches of the military expenditure, I am so far from allowing the truth of the statement, that I appeal to the House whether, on the very introduction of the estimates, my noble friend did not announce that they had been prepared under circumstances of much difficulty, when his majesty's government had not an opportunity to look with sufficient accuracy at their minor details, or to make up their opinions as to the precise periods of the year, when various reductions of them which were in contemplation, could, without inexpediency to the public service, be carried into effect? I do protest, therefore, against this attempt on the part of the hon. and learned gentleman to create a false impression, by the attack which he has made on his majesty's ministers for bringing under the consideration of the House supplementary estimates different from those originally proposed by them. It was from the first moment distinctly declared by my noble friend, that in many cases the number of men which it was proposed to vote was not intended for the whole year, although, in the peculiar situation of the country, at the close of a long war, and with so many foreign dependencies, it was impossible at that moment to state the precise period at which that number could be diminished.

Sir, his majesty's government have been, and are most zealously employed in the active review of the various departments of the public service, in order to effect such reductions as may be advantageous to the country. The House must be aware, that a very extensive reduction has already taken place. It may be necessary to apprize those who do not sufficiently consider the consequences to the country of these measures of reduction, that there is not a branch of the public service, in which it is not necessary to continue the current expenses for a period longer or shorter, in order to close and wind up the outstanding accounts. It may also be necessary to apprize such persons, that there are a great number of branches of the public service, which notwithstanding the exercise of the utmost diligence, cannot be so closed and wound up neither in a week, nor in a month, nor in a year, nor even, perhaps, in two years; and that a very long period indeed is necessary properly to decide on the expenditure of a country like Great Britain, at the termination of a war of such duration and extent. All the reductions that are practicable, however, are in the course of being effected, and there is no degree of diligence which will not be used by his majesty's government, to complete them as speedily as the various circumstances of difficulty by which they are impeded will permit. His majesty's ministers, Sir, will actively and steadily pursue the conduct which they have thus prescribed to themselves, under the sincere and strong impression that they will and ought to lose the confidence of parliament and the country, unless they introduce into the different departments of the public service all the economy of which they are susceptible; but at the same time they will never run a race with the hon. gentlemen opposite for the attainment of a spurious economy, calculated to compromise the best interests of the empire. If, sir, the hon. and learned gentleman, and the hon. gentlemen who surround him, mean to found their reputation, and their claim to public favour on an endeavour to run down and revile his majesty's ministers, by the assumption on their part of some imaginary standard of public retrenchment, I tell them that we are resolved to pursue the course of economy, as long as our consciences will allow us to do so; but that we will never aim at temporary popularity, by any abandonment of the public interest; trusting that the same means by which we have the good fortune to carry the country through the dangers of war, will with equal felicity enable us to carry her through the difficulties of peace. We are always ready to submit ourselves to the judgment of parliament and the nation; we entertain the greatest respect for that awful tribunal, public opinion; but in peace, as in war, we will found our conduct on the solid basis of principle, and will never be tempted to mislead the country in the one state, as we were never tempted to betray or sacrifice it in the other [Hear, hear!].

Mr. *Tierney* said, that he felt considerable anxiety to rise after the extraordinary speech which the House had just heard from the noble lord. From all his experience and knowledge of parliament, he felt that no House of Commons could have listened to it without a heartfelt indignation. If he had ever seen real fear disguised under the assumption of a lofty tone—if he had ever seen an attempt, by the affectation of a strut to hide real degradation—if he had ever seen a man endeavour to look tall by walking about upon stilts—if he had ever seen a minister betray a consciousness that he was tottering to his fall—he had witnessed those sights that evening, and in the person of the noble lord [Hear, hear!]. The noble lord had accused him and his friends, of an attempt to run down his majesty's ministers, and to make them unpopular. He denied this. He and his friends did not deal in sinecures, and that would be one. The noble lord and his colleagues were quite unpopular enough without any effort on their part. It was not himself and his friends who attacked the noble lord's measures; it was the country. The parchments with which the table was so loaded, that it seemed scarcely able to bear the enormous weight, afforded a tolerably good estimate of the confidence of the country in his majesty's ministers, praying parliament, as those petitions did, to save them from the extravagance of a government, known for its profusion, and from past pledges unredeemed, not to be believed in its assurances of future economy [Hear, hear!] The noble lord accused those opposed to him, of running a race with his majesty's ministers. What kind of race was it? Three weeks ago, his noble friend had given notice that he would move for a committee to consider what reduction might be made in the expenditure of the public departments. There was no race there. But when a minister came down two days after with a similar notice, then the race commenced. His noble friend who never before thought of running, finding the noble lord get on horseback, deemed it necessary to call for his nag too [A laugh]. It now, however, turned out, that in the opinion of his majesty's ministers, nothing could be more monstrous—more unparliamentary—more unconstitutional—than the proposition made by his noble friend. That it was unparliamentary he denied; and he wished to God that the House was in the committee, in order that he might appeal on that subject to the Speaker, for whose constitutional knowledge, although he had unfortunately differed from him on some minor points, he entertained the greatest respect. The noble lord declared, that in voting for the committee, hon. members would be withdrawing their confidence from ministers. For himself, he should not withdraw confidence, never having had any in them; but if he had, he should not conceive that by acceding to the motion he should withdraw it. He could not help suspecting that they had just heard in parliament a speech which, if his information was correct, had been previously made by the noble lord in private, at one of those political drills now so frequent, at which a chosen few—a particular description of individuals—usually attended, and at which (if he was rightly informed) such language as this was used, to those who ventured to start objections to the plans of ministers—"True, there is a great deal in what you say; we allow that things are not exactly as they ought to be; but then consider, that if you vote against them, you will remove the existing government" [Hear, hear!]. It was on these, or on any terms, that the noble lord and the right hon. gentleman persisted in retaining their places. Under every variety of circumstances, whether with the property tax or without it, whether with a large army or a small army, whether with a rich or with a poor exchequer, it was no matter—if nothing was left them but a corporal's guard and a bank token, the noble lord and the right hon. gentleman opposite would try to continue to sit on the bench opposite, to the end of time [A laugh]. The motion of his noble friend was, that a committee should be appointed in the ordinary terms, and without any unusual powers, to examine and report what reduction could be effected in the various branches of expenditure. The noble lord opposite replied, that such a proposition was unjustifiable, and why?—because it betokened a want of confidence in his majesty's ministers. Parliament, he contended, had nothing to do with the disbursement of the public money; it belonged to government to spend it, and to parliament to provide it; and the House of Commons was not even to be allowed to take care that the money was properly expended. These were sacred and secret matters with which ministers alone had concern; and the noble lord had proposed that a commission of his own choice should be appointed to make investigation. This commission was not to be directed, but to be requested to examine into the various matters, and then they were to advise with the lords of the treasury. Nothing could be more opposite than the two modes suggested: the commission of the friends of the noble lord were to wait upon the lords of the treasury, and to request information—the committee of the House of Commons would require the lords of the treasury to wait upon them; all the witnesses would be obliged to give evidence; and any man who refused, though a peer of the realm, would be sure of finding his way to Newgate. If a beneficial result were in view, who could doubt which was the better mode of proceeding? But the noble lord had different objects than the effectual promotion of economy. The noble lord had asserted that his mode of proceeding was the most constitutional. He would not enter into any discussion with the noble lord as to what was and what was not constitutional, for upon that subject, as upon most others, the ideas of the noble lord were not a little confused. If, however, uniform usage was any criterion, the case for a committee of the House was the strongest that could be made. Very early in our parliamentary history, notions, which the noble lord had no doubt deemed very absurd, had found their way into some minds, that the Peers and the King were to have no influence over the pecuniary votes of the House of Commons. Upon this principle was formed the parliamentary commission during the administration of lord North, as well as the committee appointed in 1786 at the instigation of Mr. Pitt, over which the late sir Francis Baring presided. At that time Mr. Pitt (whom the noble lord always professed most scrupulously to follow—certainly at a very humble distance) entertained no apprehension, that, by the nomination, he should forfeit the confidence of the country. On the contrary, he well knew that it was the only way to deserve and secure it, and on that account he took the start of his opponents, and himself made the proposition. The same steps had been pursued by him in 1796-7: he knew that the country had a right to expect it; yet on that day no clamour, as the noble lord termed it, existed in the country—no universal cry for economy, and no distresses under which all classes of the community were suffering. Mr. Pitt then saw no danger of losing the public confidence by taking care of the public money: he knew that the committee was the only way to obtain it: he proceeded in an open and a manly manner, and did not resort to petty private meetings to frighten ministerial members into a belief of imaginary dangers [Continued cheers from all sides]. Mr. Tierney said, he most ardently wished that the forms of the House would allow the Speaker, who was chairman of the committee of 1796-7, to state to the House the advantages he conceived it to possess over the commission of the noble lord; such an opinion could not fail of producing a striking impression against the noble lord and his little triumvirate of adherents. Another committee had subsequently been appointed, with which lord Grenville was connected, nor were its labours deemed useless or unpopular; and if the noble lord's reasoning was just, how had he ventured to sanction the finance committees at the head of which the hon. gentleman below (Mr. Bankes) had for five years been exerting himself? Had they accomplished nothing even in point of money? In consequence of their reports, the chancellor of the exchequer would have no more private dealings with the bank—no more secret engagements for the benefit of the directors, who were brought down to the House to be examined, and by which a saving of not less than 150,000*l.* a year had been effected. But while the noble lord argued that committees of the House had done nothing, he asserted that his commission of the treasury were to perform wonders. No doubt the members of it would do their utmost, but the minister would take care not to give them too much power; and, however respectable, their actions could not but be viewed with a certain degree of distrust, when the noble lord who named them admitted that it was only to gain a little temporary popularity. Was it to be expected of human nature that they would not consult with their friends of the treasury, before they ventured upon any point that might be annoying to their feelings, how far they were to proceed? Who were the masters of the commissioners?—the lords of the treasury. Who were the masters of the members of the parliamentary committee?—the Commons of England; the representatives of the very people that demanded retrenchment. The commission would have no will of its own while in the committee. The collision of party and the union of intellect would secure a result that could not fail of being advantageous. The commissioners of the noble lord were three very respectable individuals, undoubtedly; but where did they sit?—by the side of the noble lord. It was true that none of them were actually in office, and it was to be regretted that they were not, for (notwithstanding the noble lord's assertion, that his administration was so firmly seated that no man but in a dream could suppose that it was unpopular) their support and services might ere long be found extremely useful. His majesty's ministers, notwithstanding all the confidence expressed by their leader, might shortly find it necessary to employ a little of their spare strength, and to re-import what for a time they had exported [Continued cheers]. The administration which now set all advice at scorn, and would rely on nothing but its popularity and the confidence of a rich and happy nation, might in a few weeks deem it prudent to bring back into this country a right hon. gentleman, whom but a short time ago they sent out of it; and that right hon. gentleman, partly out of gratitude, and partly out of compassion to his friends in adversity, would no doubt persuade one or two of his connexions to lend also their aid to the servants of the Crown—The chancellor of the exchequer had intimated, that the question regarding the office of the third secretary of state had been disposed of—that it was never again to be agitated, because he (Mr. Tierney) had been unsuccessful in his motion regarding it. Why had he not succeeded?—because no means were allowed of proving the facts he brought before the House. If the committee now sought were appointed, the result would be very different: then the question might be thoroughly investigated—the noble lord himself might be examined [Lord Castlereagh shook his head]. The noble lord opposite need not be alarmed—he did not allude to his place—that was quite safe—he referred to the office of lord Bathurst, who was only a friend of the noble lord, and with regard to whose office, therefore, he felt little interest.—In the next place it was said, in opposition to the motion, that the inquiry before a committee would occupy too much time, and that the commissioners would proceed with greater celerity: but admitting that the operations of the latter would be more rapid in the first instance, their labours were afterwards to be submitted to parliament for discussion; and then where was the gain in point of dispatch? The committee was not only the shortest, but the most effectual mode. The noble lord might refuse to accede to the recommendation of his own commissioners, but he (Mr. T.) would be glad to see the minister hardy enough to maintain an office which the House, by its committee, had declared ought to be abolished: he should be glad to see even the noble lord, with all his confidence in his popularity, throw himself in the gap between the placemen and parliament. Practically, no man living could doubt that the inquiries of the committee would be directed more sincerely and heartily to the important object than those of the commissioners of the treasury. The House had already before it a specimen of what would be accomplished by them, in the account printed of the increase and diminution of the salaries in the public offices. From whence did it emanate?—from the lords of the treasury at their board; and the first page was a curious instance of the sort of retrenchment they had effected. These economical lords in the last year had augmented the expenses of the treasury no less than 10,000*l.* and these were the reformers in whom parliament was to confide—these were the men who were to begin a system of retrenchment, in whose favour all other modes were to give place—and who, according to the noble lord, were to work wonders. Wonders they no doubt would work—such as would make the nation stare, and exclaim, that all former extravagance was economy and parsimony—such as would soon add new weight to the burthen of the national debt [Hear, hear!]. The document to which he had referred, contained, among other reductions, the addition of an entirely new place, with a salary of 1,400*l.* a year; the office might be necessary or it might not—papers might have accumulated or they might not—but it was a singular indication of a spirit of retrenchment. Besides this, 500*l.* per annum were given to the assistant-secretary in addition to the 3,000*l.* per annum he before enjoyed; and although his pay was thus increased, he was also to have his assistant at a salary of 1,400*l.* per annum. These were the reforming gentlemen, the rigid economists, in whom the noble lord was anxious the House and the country should confide! [Hear, hear!]. He would not go through the items, but gentlemen would find that the contingent expenses had been raised 6,000*l.*, and, to their astonishment, that 5,000*l.* of that sum was for pecuniary remuneration: such conduct was without parallel, unless it were equalled by that of the noble lord who had recommended such lords of the treasury to confidence. Not content with outraging the public feeling by printing such statements, the noble lord completed the insult by approving their extravagance, and terming them reformers and economists.—He would not go beyond the first page of this account, since that afforded the most perfect conviction, and exposed the authors in their true colours to the eyes of all mankind. If the House of Commons would submit to such a proceeding as government had suggested, it would submit to any thing. It had been said that the two modes might be concurrent, and that the commissioners might begin their inquiry; if so, the very first step he would recommend to the committee would be, to order these commissioners to attend, that they might show upon what they had been employed. If the House submitted to be told by a minister, in his place, that parliamentary inquiry betrayed a want of confidence in the servants of the Crown, and that it was unconstitutional to investigate the mode in which the public money was expended, all hope was at an end, and the nation had nothing but destruction to expect: from the 7th of May, 1816, it might be said that all the functions of parliament had ceased. On behalf of the people of England, he claimed that much more should be done than ministers had suggested. If the noble lord thought that the country did not understand him, he was miserably mistaken; at least as far as respected economy, the people of England were not to be deceived in the intentions of the noble lord and his colleagues. "What," said the noble lord, "will they desert us now, after we have won for them so many glorious battles, and after we have conquered for them such a happy peace?" To this he (Mr. T.) could only reply, that one distinguishing characteristic of Englishmen was their great good sense, which opposed itself to all sorts of imposition. It might be truly said, that no man in our history had ever gained for a time an unmerited reputation, that had not soon been exposed by the national penetration, and degraded to the low level from which accident had raised him. The natives of Great Britain could easily distinguish between such people as the noble lord opposite and such men as the duke of Wellington. The cloud which had hitherto surrounded the noble lord, and the intervention of which, like a mist, had "made him but greater seem, not greater grow," was now fast dispelling, and leaving him exposed as he really was. The presence of a right hon. gentleman, who was on his way to reinforce the ranks of the treasury, would throw back the noble lord to the place he had originally occupied. It could not be said of the noble lord, that "he was great ere fortune made him so:" the noble lord had been very successful, and he recommended him to retire with submission, and thank God for his good luck. The noble lord would find that he could no longer ride the people of England; and that, if he proceeded with the system he had declared himself determined to pursue, he would raise a storm of resentment which he would find it impossible to allay [Loud cries of Hear, hear!].

Lord *Castlereagh*, as soon as tranquillity was restored, begged the House to do him the justice to recollect, that he had not contended generally against parliamentary inquiry, but that the present occasion was ill chosen: immediately after the restoration of peace, the House had not hitherto interfered with the executive government [The noble lord was interrupted by cries of Spoke, spoke! question, &c.].

Mr. *Huskisson* congratulated the right hon. gentleman on the singular equanimity and calmness which he had displayed in the course of his speech, considering the excessive joy he might have shown at the confidently anticipated removal of ministers. Whether this tranquillity was produced by the convincing speech of the noble lord, or by the vote of last night, he would not pretend to say. An hon. gentleman had contended that the inquiry ought not to be left to the executive government, because the result would not be satisfactory to the sanguine spirits of this country. He (Mr. H.) begged to ask what measures even of the most rigid economy would satisfy those sanguine spirits, or rather those mischievous and deluded people out of doors, who only sought to introduce confusion and destruction into the state? An hon. and learned gentleman, had, with much triumph endeavoured to prove that in the department of the customs an increase of ministerial patronage to the extent of 61,000*l.* had been effected; but the fact was, as appeared from the details which had been carefully kept out of sight, that the whole additional expense was for stationary, for the further enforcement of the quarantine laws, and for law expenses, which had nothing to do with patronage. The same hon. and learned gentleman had made similar remarks upon the board of works and the augmentation of a few of the salaries, forgetting that certain perquisites had been relinquished by the officers, which made the augmentation an economical arrangement. He had defied ministers to show that, in a single instance, they had abolished any place of patronage; but he had forgotten the places of the under-secretary of state and of the commissioners of transports, which had been found unnecessary. From the very nature of war, the lower offices principally in the departments had been increased; and on the return of peace, of course those would be the first to be abolished. As to the injury sustained by the constitution of late years, he was prepared to contend, in detail, that the growing influence of the Crown had always been met by a more than corresponding proportion of influence in the people.

Mr. *Bankes* observed, that the influence of the Crown must be extended in proportion to the number of officers paid by it: of course a considerable reduction must be made in time of peace; and the question seemed to be, who was to ascertain the proportion of that reduction? He was in favour of the committee of the House, and was astonished at some of the doctrines laid down by the noble lord and others, to prove that a practice so long established was not the fit and constitutional mode of proceeding. He apprehended that many important benefits had flowed from the labours of the committees on public expenditure. He assured the House that he did not now vote in favour of the motion for a committee, in hostility to his majesty's ministers. A committee of inquiry had, indeed, been already appointed by the treasury: and although ministers had been rather tardy in their proceedings, yet he sincerely hoped that the committee would make up for the delay by expedition. The work had been begun, and he would call upon the House to decide whether the members of the House of Commons were not as fit persons to judge upon this question as his majesty's ministers. Why should parliament be shut out entirely from considering the subject? It had been also asserted, in answer to the arguments urged by his hon. friends, the supporters of this motion, that this was not the proper time to bring forward such an inquiry. It was, then, fit and proper for the treasury, who were admitted into all the secrets of the subject, who alone were admitted into the light, to institute an inquiry; but it was to be understood, that parliament was to wait the pleasure of that committee until the treasury had given its wise decision. In every government there was an inherent love and desire to keep up a large establishment; and he was perfectly conscious of all the powerful motives which might be urged against dismissing deserving and meritorious men: but he begged to remind the House, that nothing but a firm regard to the interests of the people, could control that destructive desire of luxury and extravagance. Parliament should always keep a watchful eye over the conduct of ministers, and it was under this very feeling of parliamentary jealousy that he now voted in favour of the motion. Where business was to be done in which the public were interested, parliament should be awake to the interests of the country, and take the matter under their own direction, if they conceived they could perform it better than those who were then engaged in it. He did not wish to take from the government one tittle of its responsibility, or deprive ministers of one atom of that praise which would be due to them, provided they put in execution the promises which they had made; but if they did their duty, it was incumbent upon parliament to do its duty also; and if they shrunk from it, the day would not be far distant when they would repent their want of zeal for the public welfare.

Mr. *Wellesley Pole* denied that his noble friend had said, that if parliament showed any disposition to inquire into the subject, it would evince a want of confidence in ministers. One hon. gentleman had gone so far as to say, that nothing which could be done by the present ministers would be satisfactory to the country. In reply to which, his noble friend had said, that if this was the real opinion of the hon. member who had said so, it would be more manly and proper at once to move an address praying for a removal of ministers.

Mr. *Courtenay* rose, he said, merely to resist a personal attack which had been made upon him by an hon. member over the way in his official capacity. Nothing but the situation in which he was placed, as holding a department which had been censured by that hon. member, could have induced him to offer himself upon this occasion; and he could assure the House that never had an assertion been made more unfounded in fact than that by the hon. member, namely, that the office of secretary of the board of control was a sinecure.

Mr. *C. Grant*, junr. also denied the aspersions thrown out by the hon. and learned gentleman against the office he had the honour of holding, to be founded in fact. It would, he said, be more manly for the gentlemen opposite to move for the immediate removal of ministers, than thus to attack them by a side wind.

Mr. *Marryat* said, he was as desirous as any man to promote economy and retrenchment, but he considered that there was a certain point beyond which violent and intemperate zeal would defeat its own object. A pretty large dose had already been given to ministers, and he was anxious to see how that dose worked before the House proceeded farther. The motion for a committee of inquiry, he conceived could only be considered as having been brought forward from party motives. The conduct of ministers during the last war, and particularly the war in the peninsula, deserved the highest praise; and he thought that this was not the proper time to interfere with the line of conduct they were now pursuing. It was known that measures were in progress by the committee already appointed, and he believed no man could doubt but that those who had official knowledge on the subject were the most competent to judge. It was impossible that two suns could shine in the same hemisphere; and he could not consent to vote for a committee, the object of which was, not economy and retrenchment, but merely to declare that the confidence of the nation had been withdrawn from his majesty's ministers.

Lord *Althorp* in reply, insisted that the business of the admiralty might be conducted as well as it was at present without the assistance of so many junior lords; and conceived that four junior lords would conduct the business as well as six. He admitted the necessity of a board of admiralty as well in the country as in town; but he thought many arrangements and alterations might be made in the dock-yards, which, without a committee could not be done. The same was his opinion also of the lords of the treasury; and he could assure the House, that when he held a place in that department, the business might have been as well done by any one who could sign his name as by himself. The increase of salaries also in the customs and excise he could not but reprobate, as being a gross abuse of the powers vested in the hands of ministers, and of the declaration of the Prince Regent in his speech from the throne. On a former occasion, when a reform was made in the board of works, in what manner was it accomplished? Not by a treasury committee, but by a committee consisting of different members of parliament; and it was they alone who produced the reform. Upon the whole view, therefore, of this most important question, he did really think that a committee of inquiry was absolutely requisite to examine into the conduct of ministers, and to plan certain measures to be pursued by government, not as temporary expedients, but as a permanent system of economy and retrenchment to be adopted by all succeeding administrations. The question appeared to him to lie in a very narrow compass—whether the inquiry should be conducted by the treasury, or by a committee of the whole House.

The House then divided:

For the motion 126
Against it 169
Majority ....——43

List of the Minority.

Abercrombie, hon. J.
Acland, sir Thos.
Anson, hon. Geo.
Atherley, A.
Bankes, Henry
Babington, Thos.
Barham, Jos. F.
Baring, sir T.
Baring, A.
Barnard, lord
Bennet, hon. H. G.
Birch, Jos.
Brand, hon. T.
Brougham, Henry
Browne, Dom.
Burrell, hon. P. D.
Byng, Geo.
Calcraft, John
Calvert, Nic.
Calvert, Chas.
Campbell, Gen.
Campbell, hon. J.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Caulfield, hon. H.
Carew, R. S.
Chaloner, Robt.
Cocks, hon. J. S.
Coke, T. W.
Curwen, J. C.
Dundas, hon. L.
Duncannon, lord
Douglas, hon. F. S.
Elliott, rt. hon. W.
Fynes, Henry
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord J.
Foley, hon. A.
Foley, Thos.
Fane, John
Folkestone, lord
Grattan, rt. hon. H.
Gordon, Robert
Grant, J. P.
Grenfell, Pascoe
Halsey, Jos.
Hamilton, lord A.
Heron, sir R.
Hornby, E.
Horner, F.
Howorth, H.
Hughes, Wm. L.
Jervois, G. P.
Knox, Thomas
Lamb, hon. W.
Law, hon. E.
Lambton, John G.
Langton, W. G.
Lefevre, C. Shaw
Lemon, sir Wm.
Lyttelton, hon. W.
Latouche, R.
Methuen, Paul
Macdonald, James
Markham, Admiral
Martin, H.
Martin, J.
Milton, lord
Molyneux, H. H.
Monck, sir C.
Moore, P.
Morland, S. B.
Mostyn, sir T.
Morpeth, lord
Newman, Rt. W.
Newport, sir John
North, Dudley
Nugent, lord
Osbaldeston, Geo.
Osborne, lord F.
Ossulston, lord
Protheroe, Edw.
Portman, E. B.
Palmer, Charles
Parnell, sir Henry
Peirse, Henry
Pelham, hon. C. A.
Pelham, hon. G. A.
Philips, G.
Piggott, sir A.
Ponsonby, rt. hon. G.
Ponsonby, hon. F. C.
Powlett, hon. W.
Prittie, hon. F. A.
Pym, F.
Richardson, Wm.
Ramsden, J. C.
Rancliffe, lord
Ridley, sir M. W.
Romilly, sir S.
Rowley, sir Wm.
Russell, lord G. W.
Russell, R. G.
Scudamore, Robt.
Sefton, earl of
Shelley, sir John
Sharp, R.
Sebright, sir J. S.
Smith, Abel
Smith, Wm.
Smyth, J. H.
Stanley, lord
Tremayne, J. H.
Thompson, Thos.
Talbot, R. W.
Tavistock, marquis
Taylor, C. W.
Tierney, rt. hon. G.
Townshend, lord J.
Waldegrave, hon. cap.
Warre, John A.
Wilson, Thos.
Wynn, C. W.
Wright, John A.

TELLERS.

Althorp, lord
Fremantle, Wm.

HOUSE OF COMMONS.

Wednesday, May 8.

PAPERS RELATING TO THE RESIDENCE OF BUONAPARTE AT ST. HELENA.] Mr. Goulburn presented, by order of the Prince Regent, the following Papers, relating to the residence of Napoleon Buonaparté at St. Helena, viz:—

1. Estimate of the probable Annual Expense of the Island of St. Helena, during the period of its continuing to be the Residence of Napoleon Buonaparté and his Suite.

2. Copy of a Letter from Mr. Croker to Mr. Goulburn, dated Admiralty Office, 11th of April, 1816.

(1.)—ESTIMATE of the probable Annual Expense of the Island of St. Helena, during the period of its continuing to be the Residence of Napoleon Buonaparté, and his Suite.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
MILITARY CHARGE:									
Pay of a Battalion of 1,000 Rank and File, according to the Rates established for the East India Company's Service in St. Helena				34,789	11	10			
Pay of the Staff; viz.									
2 Aides de Camp	347	14	0						
1 Secretary	695	8	0						
1 Brigadier General	1,043	2	0						
1 Deputy Adjutant General	695	8	0						
1 Deputy Inspector of Hospitals	869	5	0						
1 Apothecary	347	14	0						
				3,996	11	0			
ORDNANCE:							38,786	2	10
Pay of a Company of Royal Artillery, according to the Rates above specified				-	-	-	4,317	12	6
CIVIL:									
Salary of the Governor, including all his Civil and Military Allowances, Table Money, &c.				12,000	0	0			
Estimated Annual Expense of Buonaparté and his Suite				8,000	0	0			
							20,000	0	0
£.							63,104	15	4
Probable Expense of Provisions for the Troops, calculated at the Rate of 2*s.* 6*d.* for each Ration							54,750	0	0
Total Charge £.							117,854	15	4
Deduct Average Annual Expense of the Garrison of St. Helena, previous to its becoming the residence of Napoleon Buonaparté							80,384	0	0
£.							37,470	15	4

For the probable Expense of the Naval Force employed at St. Helena, *vide* the annexed Letter from Mr. Croker to Mr. Goulburn.

(2.)—Copy of a LETTER from Mr. Croker to Mr. Goulburn, dated Admiralty Office, 11th of April 1816.

Admiralty Office, 11th *April* 1816.

Sir;—In reply to your letter of the 9th instant, communicating lord Bathurst's desire that a statement should be transmitted to his office, showing the amount of expense per annum, in the naval departments, on account of the additional ships of war employed at St. Helena during the residence of Buonaparté in the island, as distinguished from former periods; I am commanded by my lords commissioners of the admiralty to acquaint you, that as it is not possible to state the precise disposition which the admiral commanding on the Cape of Good Hope station may make of the squadron under his orders, it cannot be exactly calculated how much of the whole expense is attributable to the service of St. Helena; but an estimate of the expense on this latter account may be thus formed: the whole expense of the squadron on the station is 131,275*l.* 9*s.* per annum;—the expense of that part which would, if there were no St. Helena squadron, be restored to the Indian station, and employed in performing the ordinary duties of the Cape of Good Hope station, including the Mauritius, &c. is 76,712*l.* 13*s.* 1*d.*, which being deducted from the first sum, leaves 54,562*l.* 15*s.* 11*d.* as the expense of the St. Helena squadron, contradistinguishing it from the whole force of the station; but it is possible that the admiral may find that the service can be carried on with a less amount of force, in which event a further deduction will be made from the above stated expense. I am, &c.

(Signed) J. W. CROKER.

BANK OF ENGLAND.] Mr. *Grenfell* gave notice, that, if the subject should not be taken up by some other person, it was his intention, before the close of the session, to call the attention of the House to the act of the 48th of the King, with the view of effecting a reduction in the charges of the bank of England for the management of the public debt. There was also another subject to which the attention of the House ought to be called, the application of unclaimed dividends due to public creditors. On this subject he would not give any notice, because the House had been given to understand from the chancellor of the exchequer that he would bring forward some measure on the subject; but if the right hon. gentleman should not bring forward any measure, it was his intention also to call the attention of the House to these unclaimed dividends.

The *Chancellor of the Exchequer* stated that on Friday next he would name an early day for bringing this subject before the House.

TITHES.] Mr. *Curwen* rose and said:—Mr. Speaker; Though I apprehend it is not likely the motions I am about to make will meet with opposition from any quarter of the House, the subject involves matter of too much importance to pass without some explanation as to the ulterior views with which I call for the information; on these grounds, I beg the attention of the House for a very short time. The grievances arising out of the tithe system are felt and complained of in every quarter of the empire. Scarce one of the numerous petitions that have been presented, in consequence of our agricultural distresses, but place tithes as one of the most prominent grievances under which they labour. Many petitions have been received by the House directed solely to this purpose. The nation expects, and our duty requires, this matter should be brought under our consideration. Difficult and complex as the subject may be, it will not be found insurmountable when resolutely and fairly encountered. The interests of agriculture are most materially injured, and, what will not weigh less with the House, the cause of religion, and the respectability of the clergy, are lessened in consequence. Litigation is multiplied to an alarming degree. Every thing conspires to call on us candidly and dispassionately to investigate the subject, to relieve the country, and, at the same time, to do strict justice to the tithe-holder. The object of my motions is, to restore to juries their indisputable rights, and to show the extent of litigation. I leave it to abler hands to bring forward a plan for the abolition of tithes. The comfort and prosperity of Great Britain require the measure.—The tranquillity of Ireland can never be secured without it. Great as the object is in this country, it is comparatively nothing with its importance to Ireland. The object of my first motion is to show to the House the origin of the power assumed by the court of exchequer, in deciding on facts without the intervention of a jury. The trial by jury is the great and fundamental bulwark of the constitution; and I cannot withhold an expression of my astonishment, that such an innovation on Magna Charta could have been so long tolerated. It seems as if the evil had grown up so gradually, that it had deeply rooted itself before the country was aware of it. The evil is now of a nature so alarming, that I apprehend there are few of the members of this House who are not aware of its extent. In applying to the exchequer, claims are set up that the parties would be ashamed to prosecute in the face of the country; the odium attending the exposure of such claims would preserve the peace of the parishes, and the character of the parties. I beg most distinctly to disclaim, in the remotest degree, casting any imputation on the learned judges presiding in the exchequer. If the public feels their mode of proceeding tends to advantage the tithe-holder and to extend the system, I attribute it to the principles and practice of the court. The decisions of 150 years have so fettered their judgments as to render it difficult, if not almost impossible, for them to recur to a better practice without the aid of the legislature. I beg the House to believe I have not slightly taken up this question; I have the sanction of one of the learned judges of the court of exchequer, whose information as a sound lawyer, whose integrity and respectability, was never surpassed by any one who ever sat on the bench. The opinion of such a person must have its influence with the House, and weigh materially in favour of my proposition. The House will anticipate I allude to sir George Wood. I will very shortly explain what was the practice in suing for tithes, and how that has been deviated from in late times. In the reign of Elizabeth, and antecedent to it, suits for the recovery of tithes were instituted in the ecclesiastical courts; wherever a plea of modus, exemption, or composition, was alleged, the court of King's-bench, on application, stayed the proceedings, and directed the question to be tried by a jury —this produced a disagreement between the courts, and an appeal was made, and a solemn hearing took place before all the judges of the realm, who determined agreeably to the common law of the land, that the subject was entitled to have all matters of fact decided by a jury. From this decision the ecclesiastical court appealed to the king in council. So important was the question then considered, that James 1st, on hearing the cause himself, and after three days solemn argument, defended on one side by the archbishops and doctors, and on the other by some of the judges, decided, with the approbation of his council, that the common law of the realm should be abided by; a decision worthy of a monarch who regards the happiness of his people and the maintenance of their just rights as a sacred duty of his office. This decision seems to have been acquiesced in for above fifty years, when, to avoid the intervention of a jury, the recovery of tithes was sought for in a court of equity. The first cause in which the exchequer decided on the fact was, in 1687, by chief baron Ward; from that period the practice of the court has been, under certain circumstances, to pronounce what, according to them, appeared a rank modus. Nor is this the only hardship defendants in tithe causes have had reason to complain of; because, in cases of composition, the court of exchequer requires the production of the deed, deeming no usage, however continued, sufficient to supply the existence of such an instrument. Nay, it has occurred, that in cases of inclosure sanctioned by chancery, where land has been given in exchange for tithes, and because the parties to whom the waste would have belonged, can not now, by reason of change of property, be made out, the clergyman holds the lands and exacts the tithes also. Such monstrous incongruities call imperiously for relief. On appeals to the House of Lords, the general practice is to reverse judgments when moduses are set up which have not had the decision of a jury. The other motions are for returns of the number of causes heard in the last seven years, and also the number of those now pending. I do not believe I hazard any thing by anticipating the number to exceed one hundred. Mr. Speaker, the mania of extending tithes must be checked, or that respectability and esteem so necessary to be possessed by the clergy, so essential to the due discharge of the sacred functions, will be lost. Sir, I am afraid it has occurred too often, that the tithe gatherer has of late entered the garden of the poor cottager, and demanded the tithe of his half dozen gooseberry bushes, and perhaps a solitary apple tree. I dare not trust myself on this subject, lest I should be led by my feelings to other expressions, though applicable to a few, not certainly to the clergy at large. We see that great efforts have sprung from small beginnings. Had the existing spirit of setting up claims for tithes existed when the court of exchequer first commenced its proceedings, the evil had long since been remedied. What, Sir, shall we say to the claims set up for the tithe of pine apples and hot houses? Why might not the tithe owner as well extend his claims to the tenth of the goods of any manufactory? One as well as the other spring from the soil, or is the production of the atmosphere. Could a jury of the country, consisting of Englishmen, so have construed the intention of the grantors of tithes? Can these be considered as the fruits of the earth? Mr. Speaker, I shall no longer detain the House; it is high time to prevent if nothing else can be adopted, the undue extension of tithes. If we value the respectability of the clergy, or the peace of the country, the evil must be remedied. This communication will lead, I hope, to the total extinction of tithes, ultimately for the benefit of all—as far as I mean to go, I hope, may be accomplished even in the present session.—Mr. Curwen then moved, " That there be laid before this House, 1. A copy of the first decision made by the court of exchequer, in which the court pronounced on the fact of moduses, compositions, or exemption, without referring the same to a jury to be tried. 2. A return of the number of tithe causes heard or decided in the courts of exchequer and chancery in the last seven years, together with the names of the parties and parishes and places involved in such suits. 3. A return of the number of tithe causes now pending in the court of exchequer, instituted by the clergy as well as lay impropriators, tithe-owners, distinguishing by whom and when commenced.

Lord *Castlereagh* said, that if any inference could be drawn from the present motion affecting the rights of the clergy to tithes which, he contended, were as perfectly established by law, as the right of any individual to any other species of property in the country, he should oppose it; but as he believed that the hon. gentleman's object was solely information, he could have no objection to the production of the papers.

The motion was then agreed to.

REFORM IN PARLIAMENT]. Sir Francis Burdett presented a petition. signed by a number of inhabitants of Kilbarchan and its vicinity, praying for a reform in the representation.

Lord *Milton* did not rise to object to the present petition's lying on the table, but to communicate some information respecting a petition lately presented to the House from a populous town in the county which he had the honour to represent. The petition to which he alluded was the one said to be signed by 10,000 people belonging to Huddersfield and the neighbourhood. He had been informed by several most respectable inhabitants of that town, that the petition had originated in no public meeting. He did not mean to say that such a petition ought not on that account to be attended to; but considerable weight was generally attached by the House to petitions from meetings legally convened. In the winter of 1812, and spring of 1813, that part of the country was in a state of great distress, from which it was now relieved. At that time the venerable patriarch of reform, major Cartwright, happened to pay a visit to the town of Huddersfield, which was the central seat of the disturbance; for he could not call it disaffection. This was in the commencement of 1813, after a special commission had been held at York for the trial of the offenders. At that time, when a great degree of ill blood prevailed in that populous county, were signatures collected for the petition alluded to. From 1813 to 1816, where it had been lurking he knew not, but it was singular enough that it should have been now brought out of its lurking-place by the venerable patriarch or the hon. baronet, and presented to the House.

Lord *Lascelles* said, he had similar information on the subject of the petition from Huddersfield, and had received a paper from 23 or 24 reputable gentlemen disavowing it. His lordship then read part of the paper, stating circumstances, similar to those mentioned by lord Milton. Major Cartwright, it stated, entered Huddersfield on the day that the dead bodies, of the persons executed, after the sentence at York, were brought into the town by their friends; and that he brought with him bundles of inflammatory petitions. He collected about a dozen persons at a public house: some gentlemen requested him to explain his objects, which he declined; and all that met him disavowed their objects, except one. His friends deserted him, but he went before a magistrate the next morning, and produced his petition; he directed others to get signatures to it, but no persons of character encouraged it — only persons in low life. Since then, the numbers might have been secretly increased to 10,000. His lordship only stated what his information had afforded him; but as there was no public meeting, nor any public notice, the numbers must have been clandestinely obtained.

Lord *Milton* said, that his hon. friend the member for Morpeth, had examined the signatures, and stated that at the head of them was one of the most respectable persons of the town, but that he was not acquainted with any of the rest.

Sir *Francis Burdett* could uot help being astonished at the inconsistency of gentlemen on the subject of petitions. When he had lately presented a petition from the county of Wilts, adopted at a meeting legally convened, though the petition was signed by the high sheriff, and was in every respect the petition of the county of Wilts, yet it did not receive that attention to which it was entitled, and in a few days afterwards the member for Wiltshire presented a counter petition, which was very differently received. The gentleman by whom the present petition had been proposed, was so well known both in and out of the House as an honest man, that he could not be suspected of improper motives, and so far was he from approving of the riotous proceedings in the county, at the time alluded to, that in his addresses he had urged, that if the people had any grievances to complain of, it was not by riotous proceedings that they would be likely to get them redressed, and had recommended the mode of petitioning. The petition was signed by 10,800 persons, but who those persons were he had not the means of stating.

The petition was ordered to lie on the table.

PETITION OF MRS. TAAFFE, COMPLAINING OF THE PRESIDENT OF THE COURT OF SESSION IN SCOTLAND.] Sir *Francis Burdett* said, he had a petition to present from an individual, who complained of great hardships, and which was important, because it concerned the administration of public justice. The petition was that of an unprotected female against the lord president of the court of session in Scotland, complaining of an exercise of power on his part, which could not be authorized by the Scotch, or any other system of law. This lady had been deprived of the guardianship of her children, which had been left her by her husband, and had been subjected to other illegal proceedings. The case was of great importance, and he should not suffer it long to remain on the table, without an ulterior motion.

The *Speaker* asked, what was the prayer of the petition?

Sir *F. Burdett* answered, that the petitioner prayed that the House would put her children under the guardianship of the court of chancery of England, and that they would take steps to punish the right hon. Charles Hope, president of the court of session, for various acts of malversation, in the administration of justice, and especially the contravention of a statute of William and Mary.

Lord *Ossulston* seconded the motion, that he might have an opportunity, when the petition had been read, of refuting the calumnies it contained.

Lord *Castlereagh* said, the House ought to be cautious how they lent themselves to a course which would mislead the subject. If it was supposed that the House could interfere in the administration of the course of justice, that course would become disturbed and confused. If there was no charge in the petition of the great law officer in question having committed malversation or oppression in the exercise of his high office, and if such charges were not borne out by a statement of facts in the petition, the House ought not to interfere. If, however, it were allowed to be read, he begged he might not be understood as giving his support to it.

Sir *John Newport* contended, that its complaining of great injustice and oppression on the part of a high law officer, was a sufficient reason for its being attended to.

Lord *Binning* suggested the propriety of having the prayer of the petition again stated.

Sir *F. Burdett* said, that the prayer was for the interposition of the House to bring back her children to the protection of the chancellor of England, where she had placed them, and to bring to justice the president of the court of session for malversation.

Mr. *Dundas* conceived, that the petition on the first prayer was altogether inadmissible, as it would countenance a direct appeal from a court of justice in Scotland to the House of Commons which had no jurisdiction.

The *Speaker* apprehended that, in strictness, the hon. baronet had failed in one part of his duty, which was, to state the facts on which the charge of malversation was founded. This he had omitted to do.

Sir *F. Burdett* said, that the facts were so numerous, that it was better to have the petition read by the clerk. One fact was, the taking from the lady the guardianship of her own children, contrary to the law of Scotland—another was, unjustly stopping her jointure—another was, contempt of the statute of William and Mary. There were many others with which he had not burthened his memory.

Mr. *Brougham* said, that those facts were all matter of appeal rather than accusation. Contempt of the statute of William and Mary was no proof of malversation, but was a good ground of appeal, not to the House of Commons, but to the proper Court. He was one of the last members in that House, who would throw any impediments in the way of petitioning, but he thought if the present were received, it would establish a dangerous precedent, and open a door to petitions from suitors, who would prefer the summary mode of praying the interposition of that House, rather than the more proper, but unfortunately much more expensive one, of appealing to the higher tribunals.

The *Speaker* said, that many attempts had been made in that House by disappointed suitors to accuse the judges, but such attempts had been constantly repelled. It was for the House to consider whether there were any circumstances in the present case that could justify them in making it an exception to the general usage. Had the hon. baronet any allega-

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tions of direct injustice to make, which could enable the House to receive the petition?

Sir *F. Burdett* stated, that the president of the court was accused of having intimidated several gentlemen of the law, and prevented them from assisting this lady by their advice and assistance. She also declared that she had been unjustly imprisoned by the president, for refusing to give up her children to his authority.

Lord *Castlereagh* suggested the propriety of permitting the clerk to read the petition.

Sir *Alexander Hope* expressed his confidence that the president of the court of session would readily undergo any scrutiny into either his public or private character.

The Petition was then brought up, and read. It was from Belinda, widow of the late col. George Colebrooke, who died in 1809, and left her guardian of the children, with a jointure of 1,200*l.* a year; also 500*l.* a year to bring up the children, and 500*l.*, to be paid to herself. She had since remarried in Scotland in January 1811, to John Taaffe, esq. The estates were worth about 8,000*l.* a year of which 5,000*l.* were in Scotland. The petition made the children wards in chancery. Her second marriage proved very unhappy. The removal of her children had been sued for, and the court appointed a curator. The petition was long, and entered into a variety of details, stating that the judge had said that he had private means of knowing she was an infamous woman, that the children's morals might be corrupted, and the sooner their affections were alienated from her the better; and that the judge used persuasion and intimidation to prevent her from getting assistance. She also complained of imprisonment, and that the sentence was privately made up, which she could prove at the bar. The object of her imprisonment was to extort her submission, rather than which she would have died in prison.

On the motion of sir F. Burdett, that the petition do lie on the table,

Lord *Ossulston* stated, that, among the numerous cases in behalf of the subject which his hon. friend had been induced to bring before parliament, there never was one introduced by him with less consideration to the matter at issue, or with less attention to what was due to the parties concerned, than the present which he had made himself the medium of conveying to parliament. The noble lord then adverted to the allegations of the petition. In contradiction to that which stated her sentence of imprisonment to have been caused by her refsual to enter into security, he begged to state, that that sentence was pronounced against her, not to compel her to a separation from her children, but for a contempt of court. To show the feelings of this lady to tear her children by persuasion and stratagem, from their present guardianship, he stated, that when they had been permitted to visit her, on a representation of her being on a deathbed, an attempt had actually been made to entrap and remove them from their present control. If there was any thing in the case which entitled the party to appeal from a judicial process, let her resort to the House of Lords, where she might, if her case were good, obtain redress, instead of appealing to that House, where it was impossible, from the nature of its constitution, that she could obtain any redress.

Mr. *J. P. Grant* was anxious to say a few words on this petition, as he knew something of the parties, though from mere rumour. All that he had ever heard went to confirm the statement of the noble lord, that the petitioner was in custody for a contempt of the court of session, which exercised the same jurisdiction in such circumstances as the court of chancery in England. The president of the court of session was no more answerable in these cases than the judge of any other court. If the petitioner considered herself aggrieved, the court of appeal was at all times open to her, and the House was not bound to interfere. There was no imputation of corruption on the part of the learned judge; the petition merely stated, that he had acted contrary to law; and this was an allegation which must be decided by a court of appeal. There was nothing, undoubtedly, of greater importance to the liberty of the people, than that that House should be open to petitions; but it was no light matter to hold up to public reprobation the conduct of an officer of justice, against whom, if he had discharged his trust unfaithfully, it was the duty of that House to institute proceedings, and to take care that he should not be guilty of malversation again. It was equally their duty, however, to shut their doors against loose and frivolous charges, and to protect the characters of those who were intrusted with the administration of the laws of the country. For these reasons, he should certainly object to the present petition.

Lord *Binning* could not suffer this matter to pass without a few observations, but rejoiced that the noble lord was so fortunate as to be before him. He wished to occupy the attention of the House for a short time, on account, of his very near connexion with the lord president of the court of session. He believed there was no person who ever presided over a court of justice that had discharged his duties with more honour and integrity, or with greater advantage and satisfaction to the country. With respect to the merits of this petition, he had been informed that a process was now pending against the lord president, for using abusive and unwarrantable language to the petitioner; and if this was really the fact, she was not entitled to apply to that House *pendente lite*. If she considered herself aggrieved, the proper court of appeal was open to her. He almost lamented that the House had suffered this petition to be brought up and read; but having done so, he should take the liberty of moving that it be rejected.

Lord *Compton* expressed his opinion that there was no ground whatever for entertaining the petition.

Mr. *Horner* felt himself bound, as the petition had been read, to state the impression on his mind of the conduct of the learned judge. That eminent person had a very difficult task to perform; and he had no doubt whatever, from what he had heard of this case, that his lordship had not only discharged his duty according to law, but had manifested a degree of affectionate consideration and zeal towards the mother of the children that could not be surpassed. He was the more anxious to deliver his sentiments on this occasion, as the learned judge had lately presented a report to that House, which was not very consistent with his dignity or with the respect which the House had a right to demand. He might thereafter think it it his duty to offer some animadversions on that subject, and it was principally for this reason that he considered himself bound to do justice to the learned judge in the case which was then before them.

Sir *John Newport* said, he had no doubt whatever, from all he had heard on this subject, that the lord president was not only perfectly blameless, but had acted with that propriety and correctness which the laws of the country and the circumstances of the case required.

The *Attorney General* conceived it right to inform the House, that printed papers relative to the case of the petitioner had been forced upon him by the post almost every day. From the publicity which attended the proceedings in that House he did hope, that if the discussions of that night should reach the persons to whom he alluded, they would understand that the repetition of this practice would not be suffered to pass without some animadversion.

Sir *Francis Burdett* replied at considerable length. He apprehended that the conduct of a judge who imprisoned a person on the grounds stated in this petition ought not to pass without the serious inquiry of that House. It was the duty of the House, and not of a court of appeal, to determine whether he had not exceeded his powers. With regard to the character of the parties, he was unable to form a decisive judgment; but, from the facts disclosed in the petition, he entertained rather a favourable opinion of the lady. She had been left by her husband the guardian of his children; so that, at least, she could produce his testimony of her good conduct. She had afterwards made them wards of the court of chancery in England; and what could she do with more propriety? He knew not what credit should be given to rumours, but he had heard that these young ladies had been extremely well educated by their mother; and the will of the husband expressly declared, that no second marriage of the wife should deprive her of the guardianship of the children. It had been argued, however, that the court of session had a right to interfere; but the real question was, whether the petition contained allegations which brought the matter under the cognizance of the House? He apprehended it was a great and serious charge against any judge whatever, that he had decided a question upon mere private information. There could be no doubt, that if this lady was chargeable with that misconduct which some gentlemen seemed to think, it was not brought publicly before the judge in order to induce him to act as he had done. The learned judge, however, had taken upon himself to restrain this unfortunate and unprotected female from any intercourse with one of her children, when, by the law of the land, he had arrived at an age to appoint his own guardian.

It had been argued that, if she considered herself aggrieved by this conduct, she might appeal to the House of Lords; but he believed, she was not in a condition to institute such a proceeding, as she had already been put to the expense of 5,000*l*., in defending and maintaining her rights. He would not deny, indeed, that, if she complained of misjudgment only, the court of appeal was the proper tribunal to which she ought to resort; but she complained of the general oppressive conduct of the learned judge. Under these circumstances, he thought that this petition ought to lie on the table: and if the House should approve of that motion, he should consider it his duty to take some farther tice of it on a future day.

The motion, that the petition do lie on the table, was negatived without a division: After which lord Binning's motion, that the petition be rejected, was carried without a division.

Mr. Brougham's Bill for Securing the Liberty of the Press.] Mr. *Brougham*, in rising to make the motion of which he had given notice, respecting the Liberty of the Press, claimed the indulgence of the House for the statement which he should have to make, on account of the magnitude of the subject. The importance of the privileges connected with a free press were so well known, that he should not say one word respecting them; his object was to prove, that the laws by which that liberty was secured, were capable of amendment. In showing the necessity of an alteration in the law, it was not enough to make it appear that there was an absurdity in the letter of the law, without going a step further, and showing that practical inconvenience did result, had resulted, or was likely to result from it; because nothing would be less wise than to attempt to legislate for the purpose of removing an apparent inconsistency merely. It was necessary for him to guard against another error into which some persons had fallen, as to the improvement of the law, which was the supposition that all that was necessary was, to revert to the jurisprudence of former times, or what were called by these persons the purer times of our constitution. He mentioned this argument because it was urged by persons of great respectability and profound knowledge; but it was an unfortunate prejudice, as it tended to throw discredit on their attempts aud formed an answer to their plans of improvement. For his own part, he thought that, with one or two exceptions, our constitution was never in a better state than now, except in one or two instances, in which it was best to try to remove its blemishes. Another error which had arisen from the nature of the press was a supposition that its liberty could be secured by a law, defining libel, similar to that by which constructive treasons had been abolished—how to define treason was perhaps an easy task, and though possibly the law of Edward 3rd had drawn too narrow a line by confining treason to the levying war against the king or conspiring against his life, it was a prodigious improvement, compared with the law by which so many multifarious offences were visited by the terrible punishment attached to that crime. But in an attempt to define libel, if it were said that a libel was an attack on the character of the sovereign, it remained to be explained what was an attack on character. The truth was, that it was best left to common sense to decide what was an attack on character, and consequently a libel.

Having said thus much to clear the way, he should proceed to remark, that as the law now stood, the chief evil felt by persons accused of offences of this nature was this, that if prosecuted for libel it was of no manner of consequence to the trial of their cause—it was a weight that entered not at all into the scale, whether the matter of the alleged libel was consistent with truth, or totally false. This was the first grievance; and in calling the attention of the House to this, he must remind them, that he did not rashly require legislation on the subject; to say that he had considered it himself for many years, was saying little; but he certainly did approach the subject with a sense of great anxiety, because he was aware of the multiplied considerations which it involved. It should be his business to state every difficulty that had occurred to him and others within his knowledge, and he should be content to stand or fall by his success in producing an adequate remedy. The House would clearly see wherein lay the great evil to which a party accused was subject. He would suppose that a statement, not one item of which was overcharged, containing reflections on government, or on an individual, was published, and that the author was prosecuted by government, or the individual. Let the statement be ever so true, he was willing to admit that the prosecution should be criminal, but he contended that the question whether the matter was true or false, ought to be taken into consideration by the jury. To say that the measures of government were bad, and that the ministers who proposed them ought to be impeached, or that A. B., a given individual, is guilty of felony, though never so true, might frequently be highly criminal; because there were cases in which nothing but malice could have originated such charges, and other circumstances, besides the allegations being true or not true, might account for the publication, and from them a malicious motive might be inferred. Nevertheless no one could deny, first, that the crime would be greater if the allegations were false; and that would go to be considered at least in the amount of punishment: but, secondly, though on trial truth was no absolute justification, yet it ought to enter into the consideration of the cause, because in many cases it would be decisive for or against the defendant. He should first put the case of a private libel, because it was more likely that malice should enter into the composition of this, it being difficult to conceive a person guilty of intentional malice on subjects of public concern. He would suppose it had been published that A. B. was guilty of felony: it did not follow, because he might have been guilty, that the publisher was not also guilty of a libel; but the truth or falsehood ought to go before the jury, that they might sift whether the motives of the publisher were innocent or not. There was no case in which the falsehood of the charge would not be decisive against him, though there might be many in which it would not be decisive for him. If I say that A. B. is guilty of felony, and it turns out to be false, I am a libeller; though it does not follow that the truth being so would always exculpate me. But then, is the truth always to be excluded? Unless those who take a different view of the question are prepared to say, that in no possible case can the truth or falsehood of the facts be material as to the malice or purity of motives, then they must agree with his conclusion, that the court should have the truth of the facts before them, not as conclusive for or against the defendant, but as going to show the purity or malice of his motives. As the criminal law stood at present, the truth cannot be stated, and it was no mistake to say that the law had always stood so. But this was the only circumstance so excluded: every other circumstance which went to elucidate motives was freely allowed to be produced.

In order to show the inconsistencies to which this system led, he should refer to a few of them, for the sake of gentlemen, who were not quite so conversant with the subject. If a party was prosecuted for a libel, it was competent for the defendant to show on what occasion he was induced to publish it; and if it was in answer to any former attack, he has a right to bring this forward in evidence. But let the House observe to what this led: if I libel a party, it is no justification that he libelled me before; but I ought to have prosecuted him for his libel, instead of adding offence to offence. But although the courts say that this is no justification, yet they allow it to be given in evidence, in order to cast a better light on the conduct of the defendant; the malice or purity of his motives being the point to which their attention is really directed. Another instance was this; all circumstances attending the manner of publication were allowed to be given in evidence, not as any justification, but because they tended to show the motives of the publisher. The third instance he should adduce was one which frequently occurred, and particularly in a late case; it was where libels were published in the form of a report of speeches, or the proceedings of a court. If a member of that House published his speech, or a private person an account of what passed in a court, and that publication contained a libel, it would be no justification that the speech had been spoken, or the matter had passed in court. He was aware that the court of Common-pleas had gone farther in the case of Curry and Walter; but it had been said in the King's-bench, in a recent case (that of Mr. Creevey) that if the matter were tried over again, the report of what actually passed would not be a justification. Now, how did this bear on the question? We had come to decided cases, and the courts said it was no justification to prove that you were only the reporter, but they allowed it to be given in evidence, and to go to the jury, because they were sifting only the purity or malice of motives: they inquire, "did he invent and defame, or did he only give a defamatory speech, which might be spoken, but not published, with a view to dissemination?" As they considered the solution of this question to throw a light on the subject, they allowed it to be given in evidence, though not to be adduced as a justification. The last instance he should bring forward would be that of high treason. It was well known to several members, that in the case of lord Russell (a less indulgent case he could not mention, for he had a right by statute to denominate it a murder), the evidence of Dr. Tillotson was admitted to prove that his lordship's habits of life were moral; even against the imputation of high treason was this evidence allowed, to show the improbability of such guilt being compatible with opposite habits of life. In the case of Mr. Horne Tooke also, who was tried for high treason in the year 1794, a book which he wrote in 1782, was permitted to be put in as evidence of his loyalty. He alluded to his celebrated Letter addressed to Mr. Dunning, upon the subject of parliamentary reform, and luckily for Mr. Tooke, there happened to be in that letter, together with many constitutional doctrines, some very satisfactory proofs of his loyalty. Upon that ground the book was tendered as evidence, and upon that ground it was received. It was not, of course, considered as a justification, but it went to prove the probability or improbability of a man using the question of parliamentary reform in 1794 as a cloak to cover purposes of high treason, who, in 1782, had written upon the same subject with much loyalty.

These were the instances he had thought fit to produce, and he might produce numberless others to show, that although it was not allowed to give truth in evidence, yet all other circumstances were admitted which tended to show the motives of the party. The question then was, what was there in the nature of truth that it should not be taken into the account? Why should that only be omitted which in many cases was conclusive—in all was of weight;—conclusive where the charges were false, and of weight where they were true. It was needless for him to attempt to convince the House of the materiality of truth in all cases; there could scarcely be any one circumstance so material; but it was quite enough to show that this might be material; or rather he should call on those who negatived the position to show that it was immaterial in the bulk of cases. If they could show that this was wholly beside the question—wholly immaterial—then he would retire at once. He had mentioned the hardship it was to a defendant to be put on his trial with his right arm (if he might use the expression) thus tied up, and he should not insist much on the fact that the present system limited the freedom of discussion on public matters of every description: this would be admited by all; but they would rely, in answer, on the probable mischiefs which would ensue from letting in the truth, which, they would allege, would amount to a greater inconvenience than the present restrictions on political discussion. But there was no one point in which the present question was more material than that which related to libels on private character. When he referred to the evil arising from the restriction of political discussion, and compared it with the mischief to which the character of every one was now subject, much as he regretted the former, he should, if obliged to confine redress to one of the evils, prefer remedying the latter. With regard to this, the best that could be said was, that the press was, like the air, "a chartered libertine," and that we must be content to suffer a little in private character for the sake of preserving that liberty; but he had said enough to show that this liberty degenerated, in many instances, into absolute licentiousness; and he considered that licentiousness to arise from this cause, that there was no public person to watch over the property or character of individuals. By the inveterate practice of our law, wrong suffered by a private person could only be redressed by that person himself. When a man's character was attacked, be the pain and injury he suffered ever so great,—be the person who made the attack the most malicious of men, and his motives the most iniquitous,—it was a thousand to one he escaped with impunity. He should be asked, did the law afford no redress? Why did not the injured individual come forward? He would tell the House what was the remedy offered in theory, and what was its result in practice. The reasons why the injured individual did not come forward were these: there were two ways pointed out for redress—by action and by indictment. Suppose the remedy by action was preferred, the accuser was, indeed, defied to prove the truth; but the injured person went into court for a verdict, and then, after running the gauntlet of having all his affairs exposed to the impertinence or pruriency of public animadversion—after submitting to a speech from the defendant's counsel ten-times worse than the original libel—after all the expense of a trial, and the risk of being turned round on a point of law, he appeals to a jury for damages to estimate the value of his character; and those who knew how juries were composed (and he meant not to say any thing disrespectful of them) would probably agree with him, that, for the worst injury done to a private individual's character, they would be very apt to give most inadequate damages. Thus a plaintiff would go out of court, with an ingenious speech from his counsel, with another from the counsel employed on the opposite side (rather than bear which he would perhaps have endured ten such libels as that of which he complained), and damages to the amount of 40*l.* or 50*l.* He knew it would be said, that higher damages were sometimes given; and a case had lately occurred, that of Webster versus Baldwin, in which 2,000*l.* damages were awarded. But here he could not avoid observing, that juries frequently assessed damages on extrinsic circumstances, that should have been entirely left out of their consideration. They were sometimes rather guided in their determination by the greatness of the names that garnished the record, than by the nature and extent of the injury stated in the declaration. He had seen thousands awarded, where the parties filled elevated situations in society, while those of less exalted rank, although the injury was much greater, did not recover hundreds. The proceeding, by action, seemed to him, in the present state of the law, to be liable to great objections. Those objections were felt by individuals, and, therefore, they did not choose to adopt such a mode. The emolument which the slanderer accumulated by the propagation of his calumny, constituted the fund out of which the person aggrieved was to be remunerated in damages. The libeller broke open the recesses of an individual's private life—he held them up as a source of profit, to public observation—he absolutely coined the character of his victim—and out of what he had gained in this base manner, the person accused was paid, perhaps, 100*l.* or 150*l.* Safety could only be found in a criminal prosecution; and he should never advise an individual to institute an action for libel, if it were not for the one material point, which formed a principal subject of their present consideration. If he went into court, to prosecute a person who had slandered him, he did not defy the defendant to prove the truth of his charge. On the contrary, by taking such a course, he seemed to admit the truth of the accusation; and, in fact, the public were always ready to suppose a charge to be true, when the person aggrieved instituted a criminal prosecution against the accuser. On such occasions, it was observed, that the plaintiff would not have had recourse to this mode, but for the purpose of preventing the defendant from proving the truth of what he had alleged. This was practically the reason why men did not like to prosecute for libel. But if the defendant were allowed the power, in cases of civil prosecutions for libel, to prove the fact, not as a ground of justification, but as a matter worthy of being considered by the jury, all the objections against this course of proceeding would be done away. Every man would then have a powerful weapon to punish his traducer, and a sufficient shield to protect his character from the imputation of having selected this particular mode, in order to prevent his opponent from establishing the truth of what he had asserted. By making this alteration, additional facility would be given to freedom of discussion, and additional security would be afforded to the rights of private character. For all offences against the state there was an effectual remedy. No person could libel the government with impunity, because it was not liable to those feelings which actuated private individuals. The only character which was not thouroughly protected, and for which retributive justice was not provided, in case of libellous attacks, was that which was likely to suffer more from such attacks, than could be inflicted by the most licentious observations made by the press on the government.

Before he proceeded to state the remedies he meant to propose, he should call the attention of the House to the inconsistencies in principle, by which truth was excluded in some cases, and admitted in others. In 1735, when lord Hardwicke presided in the court of King's-bench, the right of pleading the truth in justification, was denied. Since that time, however, it was allowed, that the truth, in all cases of action for libel, might be pleaded as matter of justification. Why, he would ask, should it not also be allowed where a criminal prosecution was resorted to? Because, it was said, in the latter case there was no private feeling or motive, as there was in the former. This principle, however, was not at all borne out by the practice. A private individual might apply to the court for a criminal information, in case of libel, and, in that proceeding, he was called on to state the truth, in an affidavit. This did not take place at the trial, but on the discussion that arose when the rule was moved for. On such an occasion, the plantiff must swear that the libel was false —although he was not prosecuting for damages, nor for a private injury. He was prosecuting for the public in the king's name. He was only prosecuting as a witness. Why, therefore, had he a right to be more *rectus in curiâ* here, than if he brought his case before the grand jury? He here asked for an extraordinary intervention of the court, who would not grant it without a positive affidavit that the libel was false; but, if he went before the grand jury, and they found a bill, no opportunity was given on the trial, of hearing evidence as to the truth or falsehood of the libel: it was quite sufficient to prove it. Now, with respect to the application for a criminal information, it was what the public had a right to, if that was the speediest and most proper way of putting an end to a business of this kind. But the conduct pursued by the court showed that such application was, in fact, a private matter, although the proceeding was of a criminal nature; for the plaintiff was called on to waive his right of a private action, and must waive it before the application was made: which was a course quite inconsistent with the idea of a prosecution for a public wrong. It appeared to him, however, that the proving the libel to be true, was not a sufficient justification; for which reason it followed, that neither, in a private action for damages, nor in a public criminal prosecution, should the truth be taken as a justification —but, in each case, it ought to go to the jury for their consideration. Much injury might be done to the feelings of a man, by dragging his affairs before the public, and giving a true statement of them. The truth, in such a case, might add to the greatness of the injury. Yet in a civil action, if the truth were proved it was a sufficient answer to the plaintiff. Many cases might be imagined, and such cases often occurred, where, according to the common adage, "The greater the truth, the greater the libel." If, therefore, a change were made at all in the law on this point, it ought to be, that neither in a civil action, nor in a criminal prosecution, for a public or a private libel, the truth should be received as entirely justifying the defendant, but it should be suffered to go to the jury as matter for their consideration. In civil actions it would guide them in assessing the amount of damages; in criminal proceedings it would enable them to judge whether the defendant acted from malicious motives, or from feelings of a public nature. He could also imagine cases in which public libels might be true, and yet their truth might be injuriously stated. For example it might be true to state that provisions were dear, but if that statement were made to a multitude, in an inflammatory and exaggerated manner, it would be a libel. In the same manner, to address troops upon the subject of their pay in such a way as tended to excite disaffection or mutiny, would be libellous, even though the matter stated were true, and harmless if stated in a different manner. So, in a case which had been tried, where a regiment embarking for foreign service, were told that the ship in which they were to go was leaky, the offence was punished. Now it might have been true (in that particular case, however, it was not) that the ship was in that condition, and yet the exigencies of the state at a particular period of the war might have rendered such a thing inevitable, and the mentioning it in an exaggerated manner would be an offence. In the same way, reports spread with regard to invasion, the succession to the Crown, and other state affairs, though perfectly true, yet the law held to be punishable under certain circumstances. It was, therefore, no part of his plan, either in civil or criminal cases, to make the truth, even when proved, a defence of libel, but merely that it should be taken into the account—that it should be given as evidence — that it should go to the jury, and come within the scope of their inquiry, when they assessed what they might think fit and adequate damages.

To the great changes in the present state of the law, to which the carrying into effect of those views and principles which he entertained would lead, he was aware, that there might be great and important objections. He did not, however, despair of being able to offer a satisfactory answer to them all. The first he was prepared to meet was, that in a prosecution for libel, proceeding on its tendency to disturb the peace, and not on its injurious effect on character, the truth or falsehood of the matter alleged was or no consequence, and should not be brought into view. The answer to this, he thought, was easy, and would be completely satisfactory, or even irresistible. This allegation of a breach of the peace was merely a fiction of the law, merely a reason for giving the court jurisdiction, merely a creature of judicial refinement, similar to that of a father recovering damages for the seduction of his daughter. The action in this latter case was not brought ostensibly to punish the seducer, or to obtain compensation for the injury his family had sustained, but proceeded on the ground that he had been deprived of the benefit of her services, and was entitled to damages for the loss. The tarnished honour of his family—his own wounded feelings—the degradation and disgrace of his child were all left out of the view of the law, and the father considering his daughter as his servant, of whose services he was deprived, came forward under the authority of law merely with a claim of compensation for those services. Who was there, however, in practice, that ever looked upon the matter in this light, and how ridiculous would it be in cases of seduction to allot damages on the only principle that a legal fiction allowed? In case of libel the legal fiction proceeded on the idea that character was nothing, and that the tendency to a breach of the peace, was every thing; but why adhere to such a fallacy? Why not admit that character was of some value, that it was property which deserved protection, and that the robbery of our goods and chattels would infer the punishment of death? The robbery of our good name, which was dearer to us than any other species of possession, deserved a certain degree of punishment, although the act had no tendency to create tumult or a breach of the peace. But if any thing could prove the futility of this objection, it was the second answer that he would return to it. If the tendency to a breach of the peace was the only ground of proceeding in cases of libel, how came it that this tendency to a crime was punished with more severity than the offense itself? When a riot was excited, when violence ensued—in short, when the peace was broken, the punishment was often of small importance, while the penalties of libel were frequently very severe. In some cases, three or six months imprisonment were awarded for a breach of the peace, while a year, or two years, with a heavy fine, were adjudged to the publication of libel. Here the tendency to crime was punished more heavily than the crime itself. Did not an absurd inference like this show the fallacy of the premises from which it was legitimately drawn, and consequently that a breach of the peace was not the true ground of proceeding in cases of libel? He might exemplify the absurdity of this principle, and show how different the practice was from the fiction of law, by appealing to the case of duelling. Suppose that, instead of publishing defamatory matter calculated to break the peace, a party challenged another to fight a duel; suppose they went out, suppose even death ensued, or that one of them killed his antagonist, then would no punishment follow this outrage unless these were some unfairness in the transaction. This was the practice of the law, and this was the spirit of its present administration. The law, however, could not contemplate this unfairness; it merely considered the act, and should pronounce judgment accordingly. It decreed no punishment here for an actual breach of the peace; but in the case of libel it punished the tendency to it. Consummation of crime was privileged with impunity, while the steps to it were punished with severity. He did not complain of the practice of the courts in their leniency to acts such as he had mentioned—he merely brought the instance forward to show the absurdity of grounding the actual justification of the law of libel on a pretended allegation of a tendency to break the peace.

There was another objection to the receiving of evidence, with the intention of establishing the truth in cases of libel, of greater importance than that to which he had replied. It might be said, that if proof were to be received, the object of the slanderer might sometimes be accomplished, as he had only to publish his libel, and force the prosecutor into court on an issue with regard to his character. To this objection it might be considered a sufficient answer, that the defendant would be obliged not only to establish the truth of his assertions, but to remove the charge of malice. He would not only have to justify his statements by showing their conformity to truth, but his motives, by demonstrating their consistency with right intention. The second answer to this objection was, that it would be the prosecutor's own fault if he permitted the attention of the jury to be diverted from the original charge against the defendant to a question regarding his own character. What was the effect of the present practice in cases of libel? When the plaintiff chose to proceed by action, the truth, and the truth alone, was put in issue. When he proceeded by criminal prosecution, the truth of the libellous statements was not regularly put in issue, but the prosecutor's character suffered more than if they were regularly examined. Did it not almost always happen that insinuations were liberally dealt out—that hints were made—that the jury, the court, and the public, by means of the defendant's counsel, were let into all the facts they could desire? The legal assistants of the defendant were in the habit of lamenting that the hands of their client were tied up, otherwise he would have established his charge; and that the prosecutor chose to proceed by indictment, where he was sure the truth could not be listened to, rather than by an action of damages, where it certainly would have been turned against him. The hon. and learned gentleman here appealed to the attorney-general, and described the able and adroit manner in which he, if he were counsel for a defendant in a criminal prosecution for a libel, would use the privilege of the bar to aggravate or confirm the original allegations. All the facts would be brought by a side-wind before the jury, and would make an impression the more unfavourable in proportion as they were undefined in their nature, and eked out with surmises, suspicions, hints, and insinuations, the mists of which a rigorous examination would scatter. There could, therefore, be no hardship to the prosecutor in the change of the law which he proposed. But it might be said that the officers of the Crown, by collusion with the defendant, might prosecute in the name of a third party, or nominal prosecutor, for the purpose of enabling themselves to defame the character of the latter, and to fix a stigma upon it by false testimony in the trial of an issue with regard to its correctness or purity. This danger he thought completely chimerical. No attorney-general would be so base as to join in such a plot, or, if he did, his right to grant *ex-officio* information should be taken from him. There was another answer if an objection so absurd deserved one. Neither the jury nor the court would permit a conspiracy of this kind to succeed. His last answer was, that the offended party might choose whether, in the face of the facts with which he was acquainted, he could with safety proceed against the defendant or not. With regard to any injury he could do his character by allowing it to be brought to trial before a jury, he did not hesitate to say that the injury was greater as the law at present stood.

On these grounds he thought the measure he proposed might be defended, and many practical advantages pointed out as resulting, from its adoption, to the freedom of the press—to its proper regulation—to the security of private virtue and public character. He would therefore state the sum of the changes he contemplated in the law of libel. The first of them went to abolish the distinction between written and overt libel, and oral or spoken slander. It was well known that words which were not actionable when spoken, only became so when put on paper or published. Here the hon. and learned gentleman stated several cases, and particularly a decision pronounced by lord Mansfield upon a case argued before the twelve judges. The next change he proposed to embody in the measure which he was about to move for leave to introduce was, to allow the cognizance or the non-cognizance of the defendant, under whose ostensible authority the libel issued, to be put in evidence on his trial. Suppose, as had lately happened, that the person prosecuted was absent, or in prison, or beyond seas, when his servants or agents published the libel for which he was indicted, it appeared preposterously unjust that he who knew nothing of its contents, and whose interest it might materially injure, should be additionally punished for that of which he was entirely ignorant, and which he had no means of suppressing. Much caution might be necessary in receiving pleas of ignorance: but the duty of examining them might fairly be left to the jury—last of all, he would allow evidence of the truth of alleged libel to be laid before the jury, with the view of modifying or guiding their decision, as he had formerly explained. He meant to make a provision, that the defendant should give notice to the prosecutor that, when put on trial, he intended to offer proof to establish his statements.

The hon. and learned gentleman now

came to the jurisdiction of the courts, and the form of proceeding in these cases. First, he should apply himself to the privilege of *ex-officio* informations, in case of libel, and next to the custom of trying such causes before special juries. He was sure they would not now hear the propriety of continuing the *ex-officio* system defended on the ground so frequently advanced in former times, namely, the necessity of proceeding with as much dispatch as possible, on those cases which the attorney-general prosecuted:—because, in point of fact, very little time was saved by this mode of proceeding. The grand jury sat six times in the course of the year, in every county, except Middlesex, and there they were assembled oftener; and, therefore, every necessary dispatch would be insured by going before them. Why should not a minister of state, if libelled, take the regular course of preferring his bill before the grand jury? Why should there be one law for him and another for his fellow-subjects? The fact was, that, in most cases, the government did not choose to go before the grand jury, because the latter were disposed to throw out their bills. They saw, therefore, that it was a more sure, though not a more speedy way, to put a man on his trial, by means of an *ex-officio* information, than by taking the sense of twelve good and lawful men, on their oaths. Now, there could be but one reason for the grand jury being inclined to throw out bills preferred by government. It was not because they were corrupt; but because they took into their consideration this fact, that the truth could not be given in evidence on the part of the defendant, and, therefore, they were cautious of putting him on his trial, under such a disadvantage. If evidence of the truth were allowed, their scruples would be removed, and they would be as ready to find bills for public, as for private libels. He objected to the existence of this *ex-officio* authority, by which the attorney-general might put a man to the expense of 100*l.* or 150*l.*, without bringing him to trial. He might keep an *ex-officio* information hanging over the head of an individual, during his life. He had only to file the information, which he might try immediately—defer to the next year—or never bring to an issue. On one occasion, nine years ago, twenty-five *ex-officio* informations were filed, not one of which was yet brought to trial.

And here he felt it necessary to point out the manner in which the literary supporters of ministers were treated, and which would prove how liable this *ex-officio* power was to abuse. During the period in which his hon. and learned friend (sir A. Piggott) held the office of attorney-general, he filed but one information, that was for an atrocious libel, which charged the then administration with providing vessels that were not sea-worthy, for the transport of troops on the point of being sent abroad. If ever there was a case which demanded prosecution, even supposing the statement to be true, this was that case; but so far was the statement from being true, that it was a direct and unqualified falsehood, and hence his hon. and learned friend was the more imperiously called upon to proceed with the prosecution. At this period, however, the administration to which his hon. and learned friend was attached went out of office, and he was of course succeeded by another attorney-general. What was the conduct of this new officer? Did he proceed with the prosecution of a man who had thus sent forth to the world one of the most foul and malignant slanders that could possibly be published, with a view to excite mutiny and disaffection, at a moment when all the energies of the British force were about to be called into action. He would answer no; and why? because this offender was stated to have given up his author, and the apology received for this conduct was, that he had only published the libel. It was a fact, that from that day forth the author had never been found, and yet the proceedings had been stopped altogether. Here was an instance which proved that the power might be abused, and hence he contended, that it ought not to be allowed to exist any longer. He was willing to admit that his hon. and learned friend, who now held the office of attorney-general, had but in one instance during his public duties, exercised this power, and in that instance he believed he was influenced by the information of others—he alluded to the case of the King *v.* Sutton. This very circumstance afforded him an additional ground in support of his proposition; for as there were now no libels of such a nature as called for the interference of government—as every thing was quiet and unruffled, he thought this a fit opportunity for revising this most important chapter of the law. The right of replying on the part of the Crown appeared to him to be another abuse, which might with propriety be altered, as a remnant of barbarous jurisprudence.

With respect to the third point in the measure he should propose to introduce, he conceived it sufficient to state, that in all cases of libel prosecuted by information *ex-officio*, the Crown never went to trial without a special jury. All other crimes and misdemeanors, felony, and even the highest crime known to the law, high treason, were always tried before a common jury. He saw no reason for giving to the Crown, in the instance of libel, a right of selection which it did not possess in any other case. It appeared to him, therefore, that the only argument which could be urged on the other side was one founded on the aversion to innovate at all on the legal institutions of the country. Excellent, however, as the system was, the lapse of time had introduced blemishes which it would be more beneficial to its interests to convert into beauties, than to regard as parts of its perfection. Upon all these grounds, after apologizing for the length of time which he had occupied the attention of the House, the hon. and learned gentleman begged leave to move, "That leave be given to bring in a bill for securing and extending the Liberty of the Press."

Sir *Francis Burdett* seconded the motion.

The *Attorney General* said, that he had listened with all the attention which was due to the importance of the subject, and to his hon. and learned friend's manner of treating it. He had no inclination to resist the introduction of any measure professing such an object, however strongly he might feel it his duty, when it should be before the House, to oppose in all their parts the alterations recommended by his hon. and learned friend. He felt it a duty he owed to the established system of legal administration to protest against changes of such a nature and extent, without any proof that they were called for either by necessity or convenience. With regard to the justification by truth, he should reserve himself for a future occasion on that branch of the discussion; and content himself for the present with reminding his hon. and learned friend, that no official information ever issued from the attorney-general's office in cases of private prosecution. Upon the general subject of these informations he was happy to observe, that his hon. and learned friend had distinguished himself from those who, in reference to this question, maintained that the present times were worse than the times of our ancestors. The attorney-general said, he considered that the power of filing these informations was a power extremely useful, if not essential to the safety of the state in troublesome times. It ought to be lodged somewhere, and whether where it was now placed, or in the hands of some other officer of the Crown, made but little difference in the present question. It was observable, too, that it was a power, of which the instances were admitted to be few in which it had been abused. It was not the business of the attorney-general to hunt out libels; the suggestions came from a variety of quarters; and if he had instituted but one prosecution, it was not from the absence of numerous applications. Though he had filled the office but a short time, he had assisted at the consultation of his predecessors for thirty years, and from them he had learned that it was more advisable to avoid than to multiply prosecutions. The single case of the King against Sutton, where he had proceeded by information, was one of a most flagrant nature—an attempt to inflame an insurgent populace to a continuance of their disorders. It was in cases of this kind, and when it might not be so prudent to leave the peace of a district to the decision of grand juries surrounded by a tumultuary multitude, that the proceeding by information seemed peculiarly expedient. He could easily conceive that it might be proper to commence two dozen of prosecutions on an emergency, and be satisfied with one conviction, after the restoration of tranquillity had made it desirable to bury all past offences in oblivion. Adverting then, to the last topic of his hon. and learned friend's speech—the employment of special juries on trials of libel prosecuted by the Crown—it ought not to be forgotten that the subject had, both in civil and criminal cases, the option of a special jury. This appeared to have been allowed because it was thought hard that in a complicated case, or one which rested on a construction of motives, the defendant should be denied the privilege of having his case submitted to intelligent as well as upright men. Nothing could be more unfounded than the jealousy of special juries, nor more absurd than the calumny that they were packed. A common jury was selected from the constable's return. When a special jury was to be struck, the sheriff, or his deputy, attended the master of the crown-office, with an agent for each party. The book was then opened and forty-eight selected, from whom each party struck twelve, so that it was impossible for any man to say which twelve out of the remaining twenty-four would form the jury on the trial. With these explanations he should not oppose the present motion, but content himself with observing, that the proposed measure appeared to him to be a dangerous interference in the existing system of administering this branch of the criminal law.

The *Solicitor General* begged to be allowed to take this opportunity of entering his protest against the alterations in the law proposed by his hon. and learned friend, whose motion was before the House. As to the proposal of allowing the truth of a libel to be given in evidence, he thought it would prove destructive of social comfort. It would allow a man, who had committed a wrong, by publishing what he had no right to publish, if called to account for this, to put his accuser on his defence. There was no man who might have been guilty of any imprudence in the course of his life, of which he might have well repented—who might have by his future conduct retrieved his character—and who might be enjoying happiness in the bosom of his family, who might not have his deservedly re-established character destroyed, and his fortune ruined by any malicious person in a pamphlet or newspaper, bringing up this circumstance forgotten and repented of. When such a libeller was brought to trial, he had only to prove the truth of the libel, according to the proposed alteration, and then he would come off victorious. And this libeller might, day after day, or year after year, repeat the publication of the libel, and when called to account, get off by proving the truth of it. Would not such a case show the impolicy, the injustice, of such an alteration in the law? As to the power of the attorney-general to file a criminal information for libel, it was a power indispensable to the due discharge of his duties, and which had not been proved to have been in any case abused. With respect to special juries, if there was any one case in which, more than in any other, it was desirable to refer to them, that case was a case of libel. Much better was it that it should be judged by a jury of enlightened men, than by one composed of the lower and more ignorant orders of society. Unless he was extraordinarily mistaken, the more the House considered this subject, the less likely it was that they would adopt the bill moved for by his hon. and learned friend, to the introduction of which, however, it was not his intention to object.

Mr. *Marryat* admitted that the question was one of much importance, and embraced a wide field of discussion. Among other subjects in a manner connected with it, was one not hitherto adverted to, namely, the way in which the characters of most respectable individuals who, being absent, or not belonging to the House, had no opportunity of defending themselves, were attacked by hon. members. The mode of attack was in some cases both unfair and unmanly. A case of this sort had occurred within his recollection, where the character of an absent individual had been assailed in a manner which threatened not only his property, but his life: by the speech of an hon. gentleman, the person to whom he alluded had been exposed to the blind resentment of a misguided mob [Hear! from Mr. Brougham]. The member who had made the injurious observations afterwards refused either to retract or explain them. Under such circumstances, no means of redress were left to the suffering party but to appeal to a tribunal of the last resort; and when the member was invited to it, his answer was, that he would meet the person whose resentment he had provoked, with the Speaker for his second, and the Sergeant at arms for his bottle-holder [Hear, hear!]. If some remedy for this grievance could be inserted in the bill of the hon. and learned gentleman, a point of some importance would be gained.

Mr. *Brougham* begged to be permitted to say a few words in consequence of the most unprecedented and unprovoked attack which he conceived had just been made upon him; an attack which had as little to do with the subject of debate as the remarks of the hon. gentleman, which could have no possible concern with the measure under consideration. He well recollected the circumstance to which reference had been made, though it would have been much better if the hon. gentleman had been contented with plain terms, instead of resorting to a metaphor couched in language so refined and delicate, that the House would willingly dispense with its repetition. With regard to the fact, it was necessary to remind the House of some circumstances unconnected with the question before it [Cries of question]. He had a right to be heard in reply to the charge of the hon. gentleman, who had not been interrupted while making one of the most irrelevant and disorderly speeches ever heard within the walls of parliament. In the course of an inquiry four years ago, in a committee of the whole House, a witness had been called to the bar and examined, upon whose testimony he (Mr. B.) had made such remarks as appeared necessary: in doing so he had consulted no man—least of all the witness himself, and still less than least of all—if such a degree of comparison could be allowed—the hon. gentleman who had now chosen to interpose. The opinion which he had delivered was strong and pointed against the conduct of the witness; that opinion he was now ready to repeat, if necessary: and he was not to be deterred, either by the conduct of the hon. gentleman's friend out of doors, or by the still less regular proceeding of the hon. gentleman within doors. He had spoken at that time sitting as a judge upon the conduct of the witness; but soon afterwards he received a letter from that witness, inclosing a copy of his (Mr. Brougham's) speech, printed in one of the newspapers, and requesting him to state if it were accurately reported. In declining to give an answer to such a demand, he was persuaded he had only acted as every other member would have done; for he was yet to learn, that the privileges of parliament were so completely at an end, that, after having retired from the business of the session, and after having discharged important public duties, a member of the House of Commons was to be compelled to become a corrector, forsooth, of the newspaper reports of debates. Where was the boasted freedom of discussion, if members were bound to answer such interrogatories? As the desire, however, was conveyed in civil terms, the refusal to comply with it was also civil, but short. Near the close of the session he had, however, received a letter from the same witness, very different from the former, containing the most foul and unfounded aspersions upon the character of a member of parliament, and making as deep an inroad into the invaluable rights of members as could be found on the journals at any period when the privileges of parliament were at the lowest ebb. This letter repeated the former demand, accompanied by a threat, and the reply to it was a repeated refusal, with the addition of a piece of advice for the government of the writer of the threat; recommending him to take care how he proceeded further in the line of conduct he was pursuing, since if he persisted he might find it somewhat inconvenient to himself. He heard no further upon the subject until three weeks afterwards, when he was two hundred miles from London, on professional business: the witness took that opportunity of publishing the correspondence, but, though strongly advised by his friends to bring the gentleman to the bar of the House, he had not thought it right to proceed to that extremity: he now regretted his forbearance, partly on account of circumstances that had since happened, and partly on account of the most judicious conduct of the hon. gentleman, who on this night stood forward as the friend of the witness. He had been induced not to call the witness to the bar by several circumstances, and mainly by one which the publisher of the letters had duly considered, namely, that the session was within three or four days of its termination, and the imprisonment which the House could inflict would, therefore, only be of very short duration. The hon. gentleman had thrown out a hint which was easily understood—that, instead of resorting to the House, he (Mr. B.) ought to have given another kind of answer to the invitation sent [Mr. Marryat shook his head]. It was vain for the hon. gentleman to shake his head: not a man in the House could mistake what was meant; and, should he select his elegant phraseology from all quarters of the town, it would be impossible for the hon. member to convince the House that he intended to convey any other meaning. If ever he was prevailed upon to give such a reply as that alluded to, it would be after considering well his own and the feelings of the individual who supposed himself injured; but there was one species of person who never should possess the smallest influence over his conduct in this respect, because the least worthy of such an answer—a man who took upon himself the part of an interferer for the sake of renewing and promoting personal altercation [Loud cheers].

Mr. *Marryat* denied that he had said that the hon. gentleman ought to have given the personal satisfaction required; but after it had been publicly and unfoundedly asserted in the House, that an individual, who employed in his manufactories 2,000 workmen, had stated that bread and water was food good enough for the lower classes, it would have been but fair for the member who had made that assertion to explain or retract it. This was all he had intended to state; and looking at the sort of license which some gentlemen allowed themselves, he must say that the true line to be observed in debate, where the characters of individuals were involved, was "ne quid falsi dicere audeat, ne quid veri non audeat."

Mr. *Brougham* added, that he was not the only person who had misunderstood the hon. member who had unjustly accused him of refusing to give any explanation as to the correctness or incorrectness of his speech.

The *Chancellor of the Exchequer* spoke to order, and said that such discussions being unconnected with the question before the House, were much better discontinued.

The question upon the original motion being put,

Mr. *Brougham* said, that he should reserve his remarks upon the objections urged to his proposition until a future stage when the bill should be before the House. With regard to what had just transpired, he wished to subjoin, that he had on a former occasion given an explanation of the charge he had made against the witness whose cause was advocated by the honourable member; he had then stated, that a part of the speech, as reported in the newspapers, was correct, while another part was erroneous.

Leave was then given to bring in the bill.

COPY OF MR. BROUGHAM'S BILL FOR SECURING THE LIBERTY OF THE PRESS.] On the 31st May, Mr. Brougham brought in the Bill, of which the following is a copy:

A BILL for securing the LIBERTY OF THE PRESS, and preventing the Abuse thereof.

For the more effectually securing the liberty of the press, which hath been the chief safeguard of the constitution of these realms, and for the better preventing of abuses in exercising the said liberty, and in using the privilege of public discussion, which of undoubted right belongeth to the subject;

Be it enacted by the King's most excellent majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present parliament assembled, and by the authority of the same, That from and after the day of in the year one thousand eight hundred and sixteen, it shall not be lawful for his majesty's attorney or solicitor-general, or any other person or persons whatever, to exhibit or file any criminal information in his majesty's court of King's-bench, against the maker or publisher of any libel, or against the speaker of any seditious or defamatory words, unless the said court shall first have given leave to exhibit or file such information, upon application being made for that purpose in open court, according to the provisions of an act, made in the 4th and 5th year of the reign of king William and queen Mary, intituled "An Act to prevent malicious informations in the court of King's-bench, and for the more easy reversal of outlawries in the same court."

And be it further enacted, by the authority aforesaid, that from and after the day and year aforesaid, at the trial of any indictment or information against the maker or publisher of any libel, or against the person uttering any seditious words, or against the person uttering any defamatory words, of and concerning any person or persons, it shall not be lawful for his majesty's attorney-general or other counsel acting on behalf of his majesty, or for the party prosecuting in the King's name, or his counsel, to be heard in reply, after the defendant or defendants, or his or their counsel, shall have been heard, unless the said defendant or defendants shall have produced witnesses, or otherwise given evidence in his or their defence; any law, custom, or usage to the contrary hereof in anywise notwithstanding.

And be it further enacted, by the authority aforesaid, that from and after the day and year aforesaid, in all cases wherein issue shall be joined between the King and the defendant or defendants, in any indictment or information for making or publishing any libel, or for uttering any seditious or defamatory words, in case the same shall come on to be tried before any justices of assize or Nisi Prius, in any county of England, or before the justices of any county palatine, or by the great sessions of Wales, the same panel shall be annexed and returned by the sheriff to the jury process, as the sheriff returns to try the other issues joined at those assizes or sessions, and the said issue shall be tried by a jury taken from such panel; but in case the same shall come on to be tried at the bar of the court of King's-bench, then, that the sheriff of the county or place out of which the jury is directed to come, shall return such persons only as are qualified to serve, and for the time being do severally and actually serve upon common juries for such county or place: Provided always, that any party or parties moving the court, out of which the record comes, for leave to have the issue tried by a special jury, the said court shall have power and authority to order and direct the same to be tried by a special jury, upon the consent of the other party or parties, signified either by counsel in open court, or by the signatures of such parties, their counsel or agents.

And be it further enacted, by the authority aforesaid, that from and after the day of in the year one thousand eight hundred and sixteen, if any person or persons shall maliciously speak of and concerning any other person or persons, any defamatory word or words, injurious to the reputation of such person or persons, the person or persons so speaking the same shall be deemed and taken to have been guilty of a misdemeanor, and may be prosecuted for the same by indictment or information, and upon conviction may be punished for the same by fine and imprisonment, at the discretion of the court before whom he she or they may be tried.

And be it further enacted, by the authority aforesaid, that in all cases of prosecution by indictment or information, against the maker or publisher of any libel, or against the person uttering any seditious words, or against the person uttering any defamatory words of and concerning any other person or persons, in which cases issue shall be joined between the King and the defendant, it shall and may be lawful for the defendant to give a notice to his majesty's attorney-general, or other counsel acting on behalf of his majesty, or to the party prosecuting in the King's name, or his attorney or agent, free days before the day upon which the trial of the said issue or issues is to come on, that he means to give evidence of the truth of the matters contained in the said libel, or of the matters expressed by the said seditious words, or by the said defamatory words, and thereupon and upon proving to the satisfaction of the court before whom the said issue or issues shall be tried, that such notice has been given, it shall be lawful for such defendant to give evidence of the truth of such matters as aforesaid: Provided always, that his majesty's attorney-general, or other counsel acting on behalf of his majesty, or the party prosecuting the said indictment or information in the name of the King, shall be at liberty to give evidence of the falsehood of the said matters both before the said defendant shall open his case, if he or they shall think proper, and also by way of reply to the evidence of the defendant, if he shall offer any evidence of the truth of the said matters: Provided likewise, that the jury who shall try the said issue or issues, shall be at liberty to find a general verdict of guilty or not guilty upon the whole evidence, and shall not be required to find a verdict of not guilty, by reason that the truth of the said matters may have been proved to their satisfaction, or to find a verdict of guilty, by reason that the said matters shall not have been proved to be true, or shall have been proved to be false: Provided likewise, that the court before whom such issue or issues shall be tried, may give such directions as it shall think fit to the jury who are to try the said issue or issues, upon the import or nature of the evidence given, as well for the prosecution as for the defendant, touching the truth or falsehood of the said matters.

Provided always, and be it further enacted, by the authority aforesaid, that nothing herein contained shall be taken or construed to prevent the jury before whom the said issue or issues may be tried, from finding a special verdict, if they shall think fit, upon the whole circumstances of the case, in like manner as they might have done if this act had not been made.

Provided always, and it is hereby further enacted, by the authority aforesaid, that in all prosecutions by indictment or information against the maker or publisher of any libel, or against the person uttering any seditious words, or against the person uttering any defamatory words, of and concerning any other person or persons, in which the defendant shall have given notice to the prosecutor, that he meant to give evidence of the truth of the matters contained in such libel, or expressed by such seditious or defamatory words, and shall offer no such evidence at the trial of the said indictment or information; and if the said defendant shall be found guilty by the verdict, it shall and may be lawful for the court before whom the said defendant is brought to receive sentence, to take into their consideration the notice so given as aforesaid by the defendant, and that no evidence of the truth was offered by him.

Provided always, and it is hereby further enacted, by the authority aforesaid, that in all prosecutions by indictment or information against the maker or publisher of any libel, or against the person speaking any seditious words, or against the person speaking any defamatory words, of and concerning any other person or persons, in which prosecutions the defendant shall have given evidence touching the truth of the matters contained in the said libel, or expressed by the said seditious or defamatory words, if the said defendant shall notwithstanding be found guilty by the verdict, it shall be lawful for the court before whom he shall be brought to receive sentence, to take into their consideration the evidence given by the said defendant touching the truth of the said matters; and if they shall think fit to give such sentence as they might and would have given if no such evidence had been offered, and if they shall think fit to order and require that the defendant shall suffer a greater punishment, by reason of the evidence which he has given touching the truth of the said matters.

And be it further enacted, by the authority aforesaid, that in all prosecutions against the maker or publisher of any libel, by indictment or information, in which issue shall be joined between the King and the defendant, it shall and may be lawful for the said defendant to give in evidence that the said libel was made or published without his privity consent or knowledge: provided always, that the jury before whom the said issue shall be tried, shall be at liberty, to find a general verdict of guilty, notwithstanding such evidence; provided likewise, that the said jury shall be at liberty to find a special verdict upon the whole matters in evidence before them, in like manner as if this act had not passed.

And be it further enacted, by the authority aforesaid, that from and after the passing of this act, it shall and may be lawful for the plaintiff or plaintiffs, in any action brought for defamatory words, spoken of and concerning him or them, to sue for and recover damages for the uttering and speaking those words, provided the same are in any way injurious to the character and reputation of the plaintiff or plaintiffs, and notwithstanding the same words may not impute to him or them any indictable offence: provided always, that the court before whom such action is tried, shall be at liberty to direct the jury upon the import of the said words, if they shall think fit.

And be it further enacted, by the authority aforesaid, that from and after the day of in the year one thousand eight hundred and sixteen, if any action or suit shall be brought against the maker or publisher of any libel, or against the person uttering defamatory words, of and concerning any person or persons, it shall not be lawful for the defendant to plead in justification that the matters contained in the said libel, or expressed by the said defamatory words, were true, but it shall be lawful for the said defendant to plead the general issue, and to give notice days before the trial of the same to the plaintiff, that he means to give the truth of the said matters in evidence, and thereupon, and upon proving that such notice was duly served upon the plaintiff, his attorney or agent, it shall be lawful for the said defendant to give evidence under the general issue, of the truth of the said matters, which evidence shall be taken into consideration by the court and jury before whom the cause shall be tried: provided always, that notwithstanding the truth of the said matters shall be proved to the satisfaction of the said court and jury, it shall still be lawful for the said court to direct the jury to find a verdict for the plaintiff, with such damages as they shall think proper, and for the said jury to find such verdict, if they shall think fit.

Bank Restriction Bill.] The Chancellor of the Exchequer moved the order of the day for taking into further consideration the report of the committee on the Bank Restriction bill.

Lord *Folkestone* said, he felt it his duty to oppose the measure in its present form, and contended that a clause was required to compel the directors of the Bank to make preparations to resume cash payments at the end of two years. By their silence they had admitted that they would do nothing in consequence of the mere suggestion in the preamble; and he was convinced that the desirable object of a gold currency would not be attained. What he particularly wished to remind the House of was, that by this restrictive measure the House was making the directors of the Bank of England its masters, and that the country was perfectly at their discretion, if parliament suffered them to have the power of refusing to give specie for their own paper. The public, he maintained, could be considered as neither more nor less than enslaved by the Bank, if such a power was allowed. It was but about ten days ago that he had observed in the London Gazette a notice that the Bank would, he believed in October, call in the *5s. 6d.* bank tokens, and that new tokens would be issued, paying, however, not less than eight at a time. Such was the notice of the directors, but what did it amount to?—a direct order and command that any person receiving money at the Bank should be obliged to take at least eight of these tokens. He begged the House to consider what an extensive power was thus granted to the Bank; for if at one period the directors were allowed to issue not less than eight at a time, it would soon amount to 80, 800, 8,000, or what number they should choose to name. He did not rest these opinions merely upon himself; they were also those of many hon. gentlemen better acquainted with the subject than himself; and he considered that he should be wanting in his duty both to the House and to the country, if he did not move by way of amendment, That the report of the bill be taken into further consideration this day six months.

Mr. *Grenfell* thought that the House had had ample and abundant proof of the profligacy of the measure about to be adopted by parliament; and conceived that it would be a dereliction of his duty if he did not strenuously resist a system which, in every light, appeared to him most unjustifiable and indecent; and applying, as he did, his observations to the system, he did not hesitate to say, that that system upon which the Bank conducted themselves to the public, was that of a usurious money-lender, who had been lucky enough to get into his clutches one who cared not how or in what manner his life or his fortune were spent or squandered away. As long as he had the honour of a seat in the House, and God gave him health, he would enter his protest against a measure which he should always consider as one which took the money out of the pockets of those who could but ill afford it, and enriched those who had already amassed too great a wealth by usurious means.

Mr. *Baring* wished to make a few observations on what had fallen from the noble lord before the question was put. It had been said that the Bank would be bound to comply with any measure parliament might judge most proper to adopt. He could not deny but that the directors were compelled so to comply, but the court would not be called upon to state what particular construction the Bank might put upon any precise expression which might have been used; this, again, was construed into a reluctance to give proper information, and a design to conceal some hidden secret; but, however anxious the directors might be, under different circumstances, to give this information to the House, it must be confessed that the manner in which it was sought did not give much encouragement to those by whom it was possessed to divulge it. He was perfectly ready to admit, as an individual, that at the end of the two years the Bank ought to be considered as in some measure bound to restore cash payments; but the noble lord had asserted that there was no notoriety which proved the necessity of this restrictive measure. It seemed to have been quite forgotten by his noble friend, that during the last war there was no possibility of any mass of gold being collected into the country, on account of the state of exchanges, and that until the change which had taken place little more than a month, the gold had been daily going out of the country. It was impossible that that gold could be brought back, although the exchange had taken a favourable turn, either in a day or a month; but a much longer period was requisite; and it was the opinion of all those who were the most conversant in this question, that two years was not too long a time to allow, before the Bank could safely return to cash payments. If the amendment of the noble lord were agreed to, what would be the consequence? Nothing less than the complete stagnation of trade. The taxes could not be received, and the great wheel, on which the prosperity of the country depended, would be completely checked and clogged up. This reasoning followed naturally from the very arguments of the noble lord, when he asserted, that any reduction in the circulation of the Bank of England notes would be attended with the greatest calamities to the country. Would not a reduction in the circulation, then, so much to be dreaded, be the very consequence of the motion of the noble lord, if agreed to? He felt perfectly confident that no hon. member would vote for the restriction on account of any interest the Bank of England could have in the question; and he could assure the House that the very first moment that it might be thought fit and proper to return to cash payments, the Bank would be most ready to comply with the order of parliament.

Mr. *Hammersley* opposed the amendment. He conceived that it would be an impossibility for the Bank to return now to cash payments without involving the country in new troubles and difficulties.

The question was then put on the amendment, and negatived without a division.

Mr. *Horner* observed, that as it appeared from the observations of his hon. friend (Mr. Baring), that the bill was understood to imply merely, that the Bank should resume payments in cash at the end of two years, he thought it proper to propose a clause, providing that the directors of the Bank should take measures immediately, in order that cash payments might be resumed, at as early a period after the passing of that act, as appeared to them to be expedient.

The *Chancellor of the Exchequer* remarked, that the motion of the hon. and learned gentleman was similar to that which he had made before, and that on the present occasion he had urged no additional arguments in its favour. Besides, it was merely declaratory of the preamble of the bill, and was therefore unnecessary.

The House divided on the clause, when there appeared,

For the clause..................	32
Against it........................	135
Majority...............	103

List of the Minority.

Atherley, A.
Barham, Joseph
Burdett, sir Francis
Douglas, hon. F. S.
Duncannon, lord
Folkestone, lord
Forbes, C.
Gaskell, B.
Gordon, Robt.
Grant, J. P.
Knox, Thos.
Lamb, hon. W.
Lambton, J. G.
Lyttleton, hon. W.
Mackintosh, sir J.
Milton, lord
Monck, sir C.
Morland, S. B.
Marryat, Joseph
Moore, Peter
North, Dudley
Nugent, lord
Palmer, C.
Philips, George
Ponsonby, rt. hon. G.
Preston, R.
Rancliffe, lord
Ridley, sir M. W.
Sharp, R.
Smyth, J. H.
Tierney, rt. hon. G.
Wharton, John
Wynn, C. W.

TELLERS.

Grenfell, Pascoe
Horner, Francis

The report was then agreed to.

HOUSE OF LORDS.

Thursday, May 9.

HELLESTON ELECTION BILL.] Earl *Stanhope* said, that it was impossible to endure this any longer in the extent to which it had been carried. Here was a bill on the subject of the elections for the borough of Helleston, which had been ordered to be printed; and now, on looking at the printed bill, he found that they had made perfect nonsense of it. The bill enacted, that certain freeholders as mentioned in the bill, should vote by ballot, and then afterwards the printed bill enacted that the right of voting should be in the freeholders and inhabitants householders aforesaid, there having been no aforesaid inhabitants householders. He had looked at the original to see whether it contained any of this nonsense, and found that there were no such words as inhabitants householders. Then the name of a parish mentioned in the bill was in the original spelt with an *e* and sometimes with an *i*, and the printer had taken care wherever it was *e* in the copy to print with an *i*, and wherever it was *i* in the copy to print with an *e*. The print and the original did not agree, and he moved that the bill be printed, such former printing being considered no printing at all—Ordered accordingly.

HOUSE OF COMMONS.

Thursday, May 9.

LEATHER TAX]. Lord *Althorp*, in rising to submit a motion to the House for a repeal of the duties affecting the manufacture of leather, expressed his apprehensions lest he might be considered too obstrusive in thus bringing forward two motions of such importance, in the course of the same week. With respect to the present, it might, perhaps, be said, that his only reason for submitting it to the House, was the particular interest which his own immediate constituents felt in the question; and he confessed, that were it not for that connexion, he would not be the member to appear foremost on the occasion; but he could with sincerity assure the House, that, feeling as he did respecting it, he would most gladly have concurred with any other member in promoting a measure of such vast importance to the general interests of the country. He feared lest many, considering only the common uses to which leather was applied, and its great comparative cheapness, might treat the question with an air of ridicule, or at least of levity; but who could deny the importance attached to the question, on reflecting that it related to one of the staple manufacturers of the country, and the number of persons—not less than 500,000—employed in it? The manufacture of leather was one in which this country particularly excelled; so much so, that at any thing like an equality of price, our manufacturers could never dread competitors in any foreign market; and with respect to the persons employed, the House should consider not merely their numbers but their description, for many who were incapable, from accidents to obtain a livelihood in any other trade could work in leather manufactories—as a proof of which, he need only refer the House to a well-known fact, of a Mr. Brunell, an ingenious friend of his, having established a manufactory of shoes, in which none were employed but such as had lost a limb in the service of their country. The leather trade, however, was at present in a state of most extreme depression, and in those parts of the country which were principally concerned in it, hundreds of journeymen were thrown on their parishes not having any means of providing a subsistence. If, then, he could prove that the state of distress resulted from the operation of the tax and would terminate with its removal, and also that the present mode of collecting the tax was calculated to increase the grievance manifold, he conceived that he should have made out a case sufficient to induce the House to concur with him in effecting its total repeal.—The first point would, he felt, be extremely difficult of proof; for while every trade and every branch of commerce laboured under a general depression, it would be hard to point out the cause of a particular distress. The papers, however, that were laid on the table, would show the progressive increase of the produce of the original tax previous to the increased duty in 1812 in consequence of a progressive increase of home consumption and foreign export, and also point out the continued diminution of the produce since doubling the tax. The amount of the tax in 1802, was 251,391*l.*; in 1811, it increased to 307,416*l.*; but the falling off in the year 1816, was no less than 30,000*l.* This falling off arose, not from the decrease of the home consumption, but from a cessation of the army contracts, and a diminution of the foreign exports. The army contracts could not of course, be restored; but essential relief would be afforded by encouraging exportation. It had been represented to him that if the duties were removed, tanned leather would fall 6*d.* in the pound, which would cause a reduction in the price of shoes for exportation, of one shilling a pair, and he understood from several persons in the trade, that if they could lower their shoes one shilling a pair, they could easily command a sale in the foreign market. All this of course depended on the accuracy of the statements that had been made to him, and he had every reason to believe them perfectly correct. This would compensate for the loss of the army contracts, and relieve the trade from its present depression.—He would next refer to the most important part of the question, which was the mode of collecting the tax. It was a principle of taxation, that those taxes should be preferred, which brought most into the exchequer with the least possible injury to the contributor, while those which sensibly depressed or ruined a trade, should be altogether rejected.—Such he represented to be the effects of the present system, which deprived the leather trade of four times as much as it put into the exchequer, caused a waste of time and capital to the tanners and curriers, and, by its injurious operation, prevented the complete tanning of the leather. The mode was this—after it had undergone the process of tanning the excise officer came to collect the duty and imprinted his stamp upon the leather. The tanner was not allowed to curry his own leather, because in the process of currying some of the surface was perhaps to be cut off, and the appearance of the hide so altered, that it would be impossible to distinguish whether it had paid the duty or not. This was the first restriction, and was imposed as early as in the reign of queen Anne, but by means of it much time was lost, and as the process of currying could not be undergone, unless the hide were wet through, this alternate wetting and drying injured the material extremely; besides, as the leather was not wetted in tan-holes, but in plain water much of the vegetable principle must be extracted from it, and the water in which it was soaked was generally as strongly impregnated with it, as that in the original tan-hole. To obviate this injury to the leather a plan had been suggested of stamping the raw hides; but as hides, when taken out of the lime were not capable of retaining the stamp, he did not think such a plan practicable—and that, in short, the present restriction must be continued, or the duty altogether given up. The noble lord then entered into a detailed statement of the quantities of leather that had been stamped since the year 1811 to the present time, and showed that the quantity in the last year was less than that in 1811, by 2,242,000 pounds of leather; and the decrease in the present year would, he thought, be little short of 5,600,000 pounds—making a loss to the revenue of 50,000*l.* or 60,000*l.* a year. This country, he observed, was supported altogether by the wealth and prosperity of her manufacturers, and it became the government to exercise an enlightned policy towards them. The increase of public wealth should bear some proportion (unfortunately it must necessarily be a small one) to the increase of the public debt; but this could not be expected while one of the staple manufactures was depressed by a severe system of taxation. The leather trade was one very susceptible of improvement from every branch of science, and particularly from chemistry; but it was unhappily a well known fact, that the improvements in that had been less within the last century than those of any other in the country. The House must be well aware, that such a circumstance was not to be attributed to any want of intelligence in those who were engaged in that trade, but was occasioned solely by the severe restrictions that so long oppressed it. These he trusted, the House would enable him to remove, and for that purpose he moved " That leave be given to bring in a bill to repeal the duties on leather.

Mr. *William Smith*, in rising to second the motion, disclaimed any desire of repealing all the duties on leather, but merely the present tax as now collected. It would be a serious evil in the present embarrassed state of our finances to take off a tax of 600,000*l.* a-year, without having a fair chance of reimbursing the treasury to a nearly equal amount; but this, he thought, might be effected by giving an additional stimulus to exportation. The serious grievance which in the present system called for correction was, the mode adopted for collecting the tax. Indeed, generally speaking, the greatest evil in finance was the mode of collecting of the revenues; for among the persons appointed for that purpose there existed an *esprit de corps*, which induced them, at all events, to raise as much as possible, that they might seem useful to the country and government, no matter how injurious those exactions or their system might be to the real interests of the state. To him the restrictions now affecting the leather trade, appeared extremely injurious, for the expenses of collecting the duties were confessed by the chancellor of the exchequer to be as much as the duties themselves. Those duties might perhaps amount to 600,000*l.* and he thought that there would be no difficulty of devising some means of collecting that, or nearly that amount, without any vexation or distress to the trade. The mode of stamping hides might be abolished. Every one knew that a hide was not like a silk handkerchief—that it could not be put into a person's pocket—in short, that it was an article very difficult to smuggle. It could not be carried into and out of a tan-yard without being easily detected; and if a duty of three shillings were imposed upon every hide taken out of a tan-yard, it would be little worth a tanner's while to run the risk of even a trifling penalty, much less one of 20*l.* or 30*l.* in attempting to smuggle them. He did not consider three shillings a hide too large a duty; but even at two shillings, it would nearly produce the amount of the present tax. The quantity of British hides annually tanned, was about 2,600,000, the foreign 900,000 or a million. These, at two shillings a hide, gave 300,000*l.* He had been informed, that the quality of the South American hides was such, as would enable them to bear a small import duty, which, at two shillings a hide would produce nearly 200,000*l.* making altogether 500,000*l.* And thus, at a small sacrifice, they would be freed from all the present vexatious restrictions, and the tanner might then curry his own hide, if he pleased [a laugh]. This would be a boon that would give an additional spur to their industry: and by the general wealth and comfort it would diffuse, would far more than counterbalance the 200,000*l.* lost by the exchequer. But he did not suppose that all this would be lost. Besides the board of excise, the chancellor of the exchequer was liable to be imposed upon by other sources of misinformation—he meant the persons who were largely employed in the manufacture. In all taxes of this sort, it became desirable, for the purposes of cheap collection, that the trade should be in few hands; and he understood that the proprietors of the large tan-yards rather preferred the present mode of levying the tax, because it tended to prevent the opening of the trade to other persons. He understood that the whole number of tanners in the kingdom, including those of London, was not more than 1,700. But the mode of levying the tax which he recommended would probably greatly increase that number; so that instead of a few large tanners enjoying a kind of monopoly, and making a great deal of money, their numbers would be doubled, which would be far more conducive both to individual and national prosperity.

The *Chancellor of the Exchequer* said, that the question had been taken up by the noble lord and the hon. gentleman opposite, on the principle of local interests; but they had argued it fairly, and with some view to the general good. He, however, would have preferred a motion for the appointment of a select committee to inquire into the state of the laws affecting the manufacture of and duties upon leather, and such a motion he would himself propose; for when persons felt themselves oppressed, and claimed the interference of the House, it was right that the facts should be inquired into, and the grievances remedied. The hon. member had spoken of the great importance to this country of preserving so large a revenue, after the immense sacrifice that had been already made, and at the same time seemed prepared with a plan for removing the restrictions and reimbursing the treasury.—He would not then inquire whether the plan was practicable or not; but such a one had been formerly proposed in a committee on the leather duties, and the difficulties then complained of were deemed insuperable. The noble lord had represented the leather trade as particularly depressed; but there was no other branch of the manufactures of the country more liable to suffer from the revulsion of prices occasioned by the return of peace. The encouragement it received during the war from the government contracts was very great; and it might be remembered that when, in 1812, the increased duty was proposed, the chief objection was, that the government would have to pay one-third of it. The best estimate, however, that he could collect, of the amount paid annually by government for leather contracts, was about 30,000*l.*; which, when distributed throughout the trade, must infuse great life and activity. When the noble lord attributed to the increased duty the distresses of the trade, he seemed to have forgotten, that, with the increase of duty, no new restrictions were imposed, but that they had all existed ever since the time of queen Anne. The right hon. gentleman then entered into a detailed statement of the produce of the tax, since that period to the present, to prove that no reduction had taken place to the amount stated by lord Althorp. In the eight years ending in 1754, the average amount of the tax at 1½*d.* a pound, was 168,200*l.* It had risen to double that in the year 1812; and the tax being then doubled, its produce in every year since was, on an average, double its former amount, although the imports from the river De la Plata of hides, which formerly averaged 2,600,000 annually, had, since the commencement of the civil war in South America, fallen to 950,000. The noble lord had in his statement omitted a most important part of his duty. He had said not a word on the effect of the duties on the consumer in general. It would be, however, some satisfaction to the House to learn, that the prices of leather were lower than before the imposition of the double duty in 1812. The price of strong leather, in 1811, was 19½*d.* a pound, it is now 16½*d.* being a depression of 3*d.* in the pound. He was aware of the objection that might here be made to this statement, namely, that this great depression of prices was a ruinous loss to the tanner. But let the House consider that the depression was caused by an equal one in bark and in the raw material. Bark was, in 1811, 33*l.* a load: in 1813 it was 36*l*: while, in 1816, it was from 20*l.* to 24*l.* The raw hides were, in 1811, 4½*d.* per pound, and now were only 2*d.* or 3*d.* He thought, however, that parliament ought to examine into the distresses of the leather traders, and hear their allegations. It was his object to effect as great a diminution of their burthens as was consistent with the interests of the country. If, however, to avoid or remove an inconvenience, they were to repeal half their taxes, it would disturb the general system of finance, destroy the revenue of the country, and subject public affairs to a total derangement. He should therefore oppose the motion of the noble lord, and move, as an amendment, "That a select committee be appointed to consider of the state of the laws relating to the manufacture of and duties upon leather; and that they do report the same, with their observations thereupon, to the House."

Lord *Compton* conceived, that the revenue would not be a loser, by giving up the tax upon leather, and commented on the remarks made by the chancellor of the exchequer on the decreased price of that article. The decrease of price could be occasioned only by an increase of supply, or a diminution of demand. Now, it was well known that there was no increase of supply, consequently whatever fall had taken place in price, must be attributed, not to a fall in the price of the materials, but to a diminution of demand and consumption. A deputation from the trade had some time since waited on the chancellor of the exchequer, to obtain the removal of the restrictions, and stated to him, that they suffered to the amount of four times the sum that found its way to the treasury. The right hon. gentleman acknowledged, that it might be ten times the sum, so that the tax would be then collected at the rate of 1,000*l.* per cent.; but even allowing it to be only four times it was a system that should be amended. It might be said by some gentlemen, that the trade did not thereby suffer a pecuniary injury, but what other injury could they suffer? Were not a waste of time, a waste of materials, and the deterioration of their leather, pecuniary injuries? The noble lord then showed by a reference to the amount of the property tax, that the inhabitants of this country paid to government, directly or indirectly, one-fourth of their income, and thence concluded, that if the leather trade sustained an unnecessary loss of two millions, by the mode of collecting the duties, the government must thereby lose 500,000*l.* His objections to the tax were these: it was most expensive in its mode of collection; it fell on the poor; it pressed on the agricultural interests, a circumstance at all times to be lamented, but particularly at the present period; and it operated partially and locally. To inquire into these, the chancellor of the exchequer had proposed a committee. Such a proposition seemed somewhat unaccountable from him who had two nights ago objected to a committee, in consequence of the lateness of the session. The right hon. gentleman observed, that other trades, as well as this, were oppressed at present. The question then was, whether the taking off the restrictions complained of, would not relieve it, by increasing the consumption of the article manufactured. With respect to the accounts which the right hon. gentleman had produced, and from which it would appear that the leather trade had not decreased, he certainly conceived that they were inaccurate. When gentlemen considered the numerous petitions, complaining of the distressed state of the trade. which were lying on their table; when they were told that large bodies of workmen were thrown out of employment, and obliged to apply to the work-house for relief—they could not suppose that the trade was in a flourishing state. He was most anxious to support the finances of the country; and he was convinced, that the chancellor of the exchequer would enrich the revenue, instead of impoverishing it, by abolishing the restrictions which formed so odious a part of the machinery of the tax. In addition to the other objections which he had stated against a committee, he must observe, considering the great importance of the trade, that whatever was done should be done immediately. Now, if the subject were considered in a committee, it would take up a great deal of time, and probably the question would not be decided in the course of the present session.

The *Chancellor of the Exchequer* said, he never had stated, either in that House or elsewhere, what the pecuniary effects of the collection of the tax were. Some gentlemen, however, having told him, that they were informed by others, that the expense of collection was four times the amount of the tax, he had observed, "You might as well say ten times." He did not state this as an opinion. The observation was only made to meet their vague mode of argument.

Mr. *Curwen*, having presented a petition against the leather tax from a considerable body of his constituents, took that opportunity of stating his sentiments to the House. The petitioners did not object so much to the tax itself, as to the manner in which it was collected. If it could be collected in any way consistent with the interest of their trade, they would not oppose it. He agreed with the right hon. gentleman that a subject of this nature, which was connected with a great source of revenue, ought to be maturely considered; particularly when, with every attention to economy, it would be found extremely difficult to make the receipt and expenditure of the country meet. But, on the other hand, when so great a trade was in a state of decay, when a large number of persons were thrown out of employment, it was absolutely necessary that some step should be taken to remedy the evil. If the noble lord pressed his motion, he would certainly vote for it; but, at the same time, he conceived that something might be done, by appointing a committee, as suggested by the chancellor of the exchequer. They had already done something to relieve the lower order of farmers, he trusted they would now do something advantageous for the lower orders of the people in general. The best boon would be that which was now proposed. If they went into a committee, means might be devised to get rid of the restrictions, and not only to preserve the present revenue, but to insure a greater than the tax now produced.

Mr. *Rose* was of opinion, that no course was so proper as that of submitting the subject to the consideration of a committee, since the objections were raised rather against the restrictions than against the tax itself. The noble lord near him had said, he was aware of the financial difficulties which the country laboured under, and stated that if this tax, which produced 600,000*l.* per annum, were given up, it would be the means of benefiting the revenue. Now really this point alone deserved the serious consideration of a committee. Out of doors opinions varied very much on this question. One person, a very clever man, though in an humble rank of life, had written to him "that, comparing the exigencies of the state and the necessity of raising a large revenue, with the inconvenience felt from the restrictions, he thought they should be continued;" while another person had addressed him, begging, by all means, that he would vote for a repeal of the tax. The noble lord required the House to refuse the committee, because it would produce a delay that must prove ruinous to the trade. Now the tax had been four years in existence, and, he contended, that no ill effects had resulted from it. His wish was, that a committee should meet.

Sir *Joseph Yorke* supported the proposition for a committee. He was not aware, if the original motion was agreed to, and the tax taken off altogether, that the public would be enabled to walk in cheaper boots or shoes. This was a point, which should, he conceived, be inquired into, before the tax was repealed.

Mr. *S. Thornton* differed from the opinion of the hon. baronet. He had no doubt that by repealing the tax the price of leather would be much less. He should be satisfied with the appointment of a committee, but if the noble lord pressed his motion to a division, he should certainly vote for it.

Mr. *Thompson* said, that, in levying duties, as little obstruction as possible should be given to manufactures and commerce. But the act by which the leather tax was imposed proceeded on a different principle. It seemed as if the means of obstruction were sedulously sought out by those who framed it. There were distinctions in the law which he did not understand. Three-pence per pound was the duty paid on the generality of hides; but there were other sorts of leather which the manufacturer could not tan without paying 1*s.* per pound. Our fishermen in the Greenland Seas caught great numbers of sea-horses: they brought home their oil and hides: the hides were very thick and rough, like the bark of an oak-tree, and the tanner was very glad to put them in his pits, but he was obliged to pay a duty of 1*s.* per pound for them. If this species of hide could be tanned at the ordinary duty of 3*d.* per pound, it would be very much sought after. Again the tanner was not admitted to tan the skin of an ass, nor the skin of a bear, of which so many could be furnished from the North Seas, without paying this increased duty of 1*s.* per pound. He should like, therefore, to go into a committee, where the whole of this system could be properly explained. He was sure the tanner would be very glad to pay his duty before he placed the hides in his pit. By this means he would escape the dangerous and unpleasant visit of the exciseman, and would be saved the expense of paying for the refuse leather; for that part of the hide which, when it was dressed, was utterly useless. He did not wish that the whole tax should be taken off, nor did the tanners themselves demand it. Many intelligent men amongst them requested that the restrictions should be examined, and that their case should undergo investigation. They represented it to the board of excise, but had received no answer. Those gentlemen were not very quick in answering complaints. Their answer generally came in the shape of an exciseman, who, perhaps, caught hold of their hides. He hoped the committee would be appointed, and that a bill, founded on their report, would be brought in during the present session.

Mr. *Cartwright* conceived, that, by removing the restrictions and giving an increased spur to trade, much good would be effected, both to the individuals immediately interested, and to the country in general. With respect to the proposition for a committee, he should merely observe, that a similar course was adopted in 1813, and the evidence was against the continuance of those restrictions. He therefore thought, that by referring to the report drawn up on that occasion, they would derive all the information which could be hoped for from the formation of a new committee. He was perhaps a little influenced in what he said by the instructions of his constituents; and though no friend to the doctrine of instructions, yet where local interests were concerned, he thought they ought to be attended to. His object in supporting the property tax had been, that other taxes might be repealed, and he should now support the present motion.

Mr. *Brooke* said, he should support the amendment, because he thought that in a committee the question would be much narrowed. He hoped every assistance would be given to the leather manufacturers, consistently with the safety of the revenue.

Mr. *Philips* said, he had perused the report of the former committee, with great attention, and it appeared to him that it clearly proved the impropriety of the restrictions. He could not therefore conceive, what new light could be thrown on this exhausted subject by the appointment of another committee. If the chancellor of the exchequer could not state distinctly to them, that, in the committee, he intended to advance certain reasons which induced him to give up those restrictions which he had supported in 1813, it was quite useless to move for it. It had been said, that since the additional tax the trade had increased. This he denied. On an average of three years preceding the imposition of the tax, the trade appeared to be constantly increasing. On an average of three years, since the tax, it appeared to be regularly decreasing. Particular circumstances might account for the decrease, in one year: but the tax alone could be supposed to effect a regular decrease for three years. The restrictions operated to destroy the trade—they operated to prevent the tanner from currying the leather—they operated to deteriorate the quality of the manufacture. If they had the effect of raising the price, as was the fact in a much greater proportion than the tax itself would do, and if they also impaired the manufacture, was it at all possible that the trade could flourish? It might have increased immediately after the passing of the act; but what would have been its prosperity, if those restrictions had never been proposed? This measure had an operation on other branches of industry. If, in consequence of those restrictions, individuals were prevented from importing hides from Buenos Ayres, would not a considerable branch of the commerce of this country be injured? It was a tax also that weighed heavily on the agriculturalist. Under all these circumstances, he thought the House should accede to the motion of the noble lord, unless the chancellor of the exchequer would state, that, in the committee he meant to abandon the restrictions. He should also like to hear the right hon. gentleman's opinion of the plan touched upon by the hon. member for Norwich.

The *Chancellor of the Exchequer* said, it would be his object, in the committee to procure all the information that could be obtained, on the practicability of raising a revenue on hides, without those restrictions. He could not give any opinion on the plan of the hon. member for Norwich, as he had not had time to consider his suggestion.

Lord *Milton* said, that he and his noble friend who made the present motion were members of the committee which sat for a whole month in the year 1813. The result of their inquiry was, that no mode could be adopted for the collection of this tax, without the restrictions. The chancellor of the exchequer, however, advised them to go into another committee. Now what had they to inquire into? Surely not into the ruinous state of the trade, for that was perfectly notorious. The inquiry then must be, "Can the revenue be collected without those vexatious restrictions?" Who were they to examine on that point?

The board of excise and the officers under them—persons with whom the right hon. gentleman was in a state of constant communication. From the very nature of the connection between the right hon. gentleman and those individuals, no doubt could be entertained, that, if they were acquainted with any means of collecting this branch of the revenue without the restrictions they would have acquainted him with it. If the right hon. gentleman knew of any such plan, he supposed, that he would at once state it to the House, instead of moving for a committee. He therefore believed, that, in proposing a committee, his real object was, not the consideration of the subject, but for the purpose of lulling the petitioners into security, that he might take advantage, in that House, of their relaxed exertions. He conceived that they ought to proceed on the report of the former committee, which was then before them. It was not drawn up hastily, for it comprised 150 folio pages on this important question. All the information that could be desired was contained in it, and feeling that nothing new could be developed before another committee, he trusted the House would agree to the motion of his noble friend.

Mr. *Lushington* said, that the former committee had not been called upon to give any opinion, but merely to report the evidence to the House. From the returns which had been laid before parliament, it was quite clear that, since the duty had been doubled, the revenue had increased in equal proportion. He considered, therefore, that as a matter of finance, this tax, which produced no less than 650,000*l.* a year, deserved the most serious consideration of the House. It was a tax that had existed for a great number of years, and was most impartially distributed over the whole community. He thought that the statement which the noble lord had made, with respect to the difficulties under which the manufacturer laboured, had been a little exaggerated. From his own inquiries on the subject (and he had taken some pains to arrive at the truth) he did not believe that the distress was so great. Since the tax was increased, the price of hides had fallen at least 25 per cent., and he was not aware that the public in general had any real ground for complaint. He should, therefore, support the amendment of his right hon. friend.

Mr. *Methuen* said, he should vote for the original motion.

Sir *John Newport* was not surprised at the depressed state of the tanning trade in England, when he found that the export of tanned leather from Great Britain to Ireland, in the year 1813, amounted to 216,000*l.* official value, while, in the last year, it was only 66,000*l.*, being only one-third of what it was three years ago. The House was already in possession of all the information that could be given on the subject; and, for this reason, he felt himself bound to vote for the original question.

Mr. *Marryat* said, that nothing could be more ruinous than the existing taxes on leather. The necessity of giving relief was clearly admitted by the chancellor of the exchequer, by the amendment which he had proposed; the only difference of opinion was as to the best mode that ought to be adopted. He thought that they could not altogether abandon so large a portion of the revenue, but they should take off some of the restrictions, which were more burthensome to the manufacturer than the tax itself. In that part of the country which he represented, several large premises had been deserted, and the master manufacturers found their capitals wasting away. Upon the whole, he rather inclined to the motion of the noble lord, and should, therefore, sit down with giving it his support.

Mr. *William Smith* rose amidst general cries of question. As soon as order was restored, he begged to explain the reasons which had induced him to change his opinion, and to vote for the amendment. He certainly gave credit to the right hon. gentleman, that he proposed a committee with the view of seeing whether he could not afford some relief to the manufacturer; and he thought the committee would not have occasion to sit long. He should, therefore, give his support to the measure which the right hon. gentleman recommended to the House.

General *Gascoyne* was sure that his hon. friend who had just spoken was not influenced by the slightest partiality towards one side or the other; and as he reposed the utmost confidence in his judgment on this question, he should certainly vote for the amendment.

Mr. *Benson* begged to offer a few words. He was quite sure it had been proved to the satisfaction of the former committee, that the trade was in a most ruinous state, and, from all that he had heard on the subject, he was afraid that its distresses had been considerably increased. It was not the repeal of the duties alone that would afford relief to the manufacturer; the restrictions prevented him from making a good article. In time of peace government should give every support to trade; and with respect to the particular branch which was then before the House, he thought that no real good could be effected, unless they adopted the motion of the noble lord.

Mr. *Forbes* said, he would support the noble lord's motion; and if that were lost, he would support the motion of the chancellor of the exchequer.

Mr. *Protheroe* said, that if the property tax had been continued, it would have enabled the chancellor of the exchequer to repeal the tax on leather; but, under the present circumstances of the country, he did not think that government ought to abandon so large a portion of our income.

Lord *Althorp* rose to reply. He said, he felt it incumbent on him to state the reasons which would induce him to persist in his motion. It appeared to him, that the arguments which the hon. member for Norwich had advanced in support of the amendment were founded in mistake. He had stated, that if gentlemen on that side of the House insisted on a division, they would probably lose both the bill and the committee: but this was quite impossible. If leave were given to bring in a bill, a committee might still be appointed. In the last committee, they had examined whether the tax could be collected in any other way, and the surveyor of excise was of opinion that it could not be taken on the raw hides. If the committee was appointed, and proceeded in the manner it did formerly, the whole discussion would be repeated. The persons concerned in the leather trade would only be satisfied by a repeal of the taxes affecting them. He would certainly take the sense of the House upon his motion.

Mr. *Frankland Lewis* put the two cases, of proceeding by a committee of inquiry, or of immediately agreeing to the introduction of a bill for a repeal of the leather taxes; and stated the advantages of the latter course without renouncing the former. There never was a subject more deserving of inquiry by a committee, the labours of which he was sure would result in discovering and recommending a substitute for yielding the half million raised in one of the most impolitic and objectionable ways that ever a finance minister resorted to. The appointment of a committee, however, did not preclude the bringing in of the bill, nor could the progress of its labours in the least impede the discussions that a bill would lead to. He called upon the gentlemen who agreed to the committee, to observe consistency, and to allow the same course to be pursued that was suggested in the case of the insolvent debtors' bill. It was at first proposed to bring in a bill for repealing the insolvent debtors' act; a committee of inquiry was, upon that occasion, proposed, and the discussion terminated with granting leave to bring in the bill, and appointing a committee, which should make its inquiries in the mean time. He claimed consistency from those who recommended such a mode of proceeding. The urgency of the measure was as great, and no objections existed in the one case that did not exist in the other. The leather tax was so objectionable, both from the restrictions which were necessary for levying it, and from the inequality which attended its distribution, that no other way of collecting the same extent of revenue could be devised which would not be an improvement.

The question was then loudly called for, and the House divided, when there appeared—

For the Amendment	121
Against it	86
Majority	35

A committee was accordingly appointed, in pursuance of the suggestion of the chancellor of the exchequer.

List of the Minority.

Allan, George
Baring, sir T.
Barnard, lord
Benson, R.
Barclay, Charles
Bradshaw, R. H.
Compton, earl
Calcraft, John
Calvert, Chas.
Campbell, hon. S.
Campbell, Gen.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Chaloner, Robt.
Cocks, hon. J. S.
Curwen, J. C.
Davenport, D.
Duncannon, lord
Dundas, hon. L.
Dundas, C.
Egerton, W.
Finlay, K.
Forbes, C.
Fergusson, sir R. C.
Foley, hon. A.
Foley, Thos.
Folkestone, lord
Geary, sir W.
Guise, sir W.
Halsey, Jos.
Hamilton, lord A.
Hanbury, Wm.
Hornby, E.
Howorth, H.
Howard, hon. Wm.
Hulse, C.
Jervoise, G. P.
King, sir J. D.
Knox, Thomas
Langton, W. G.
Lewis, T. F.

Lyttelton, hon. W.
Long, R. S.
Lubbock, J.
Methuen, Paul
Mordaunt, sir C.
Mills, C.
Marryat, J.
Macdonald, James
Madocks, W. A.
Martin, J.
Milton, lord
Molyneux, H. H.
Monck, sir C.
Moore, P.
Morland, S. B.
Neville, hon. R.
Newport, sir John
North, Dudley
Osborne, lord F.
Onslow, serjeant
Plumer, Wm.
Portman, E. B.
Protheroe, Edw.
Peirse, Henry
Pelham, hon. C. A.
Philips, G.
Ponsonby, rt. hon. G.
Ponsonby, hon. F. C.
Powlett, hon. W.
Preston, R.
Prittie, hon. F. A.
Ramsden, J. C.
Ridley, sir M. W.
Russell, G. R.
Shaw, sir J.
Shaw, Benjamin
Sumner, G. H.
Scudamore, R. P.
Sefton, earl of
Shelley, sir John
Shelley, sir Tim.
Smith, Sam.
Vaughan, sir Robt.
Wilson, Thos.

TELLERS.
Althorp, lord
Cartwright, W. R.

The marquis of Tavistock, Mr. Lambton, Mr. Atherley, and lord Rancliffe paired off in favour of lord Althorp's motion. Sir Francis Burdett, Mr. J. Wharton, and Mr. R. G. Long, were shut out upon the division.

HOUSE OF LORDS.

Friday, May 10.

STATUTE BOOK.] Earl Stanhope reported from the select committee respecting the Statute Book, two Resolutions, declaring the expediency, in their opinion, of arranging the enactments in the statute book, under separate and distinct heads, and that a person, learned in the law, should be appointed for this purpose, with a number of clerks under him, not exceeding twenty. On his lordship's motion, these Resolutions were agreed to by the House. The noble earl further moved, that a message be sent to the House of Commons, communicating these Resolutions, and another message desiring a conference with the Commons on this subject in the painted chamber, on Tuesday, at five o'clock. The masters in chancery sent with the messages subsequently returned with an answer to the last, that the Commons would send an answer by messengers of their own.

HOUSE OF COMMONS.

Friday, May 10.

BETHLEM HOSPITAL.] Mr. Addington moved that the second reading of the Criminal Lunatics Bill should be postponed to Monday next.

Mr. *Bennet* wished to take this opportunity of asking the right hon. gentleman whether it was the intention of government to make any addition to Bethlem hospital, or to give any allowance to the trustees of that hospital, should the bill brought in by the right hon. gentleman be passed into a law. He was anxious to be informed on this subject, because if such was the intention of government, he should resist the payment of one single shilling to that hospital, so long as the management of it should continue in the hands in which it now was [Hear, hear!]. An inquiry into the management of Bethlem hospital had taken place under the directions of the House, and it appeared from that inquiry that the state of the hospital had been, and was a disgrace to the metropolis. If ever there was a public institution of which the direction reflected disgrace on those concerned in it, and called on the legislature to refuse all support to it till the abuses should be remedied, it was the hospital in question, under the management of Dr. Monro and Mr. Haslam the apothecary. In consequence of the examinations which had taken place, it was discovered that the duties of all those concerned in the hospital were most shamefully neglected by them. There was a physician who walked the hospital only once a month—an apothecary, who abounded in theoretical views, but who was above attending to any thing else—a steward, a matron, and a porter, all too important in their own eyes to attend to the wants and necessities of the patients—and a surgeon often mad himself, and almost continually drunk. [Hear, hear!]. And yet, with the evidence of this misconduct before them there was a paper signed by the governors of the hospital, in which they stated, to the astonishment of all who knew any thing of the subject, that Bethlem was a pattern, not only to the hospitals of this country, but of every other. On Monday next, when the subject should come again before them, he should be prepared to enter at greater length into it. He begged pardon for making these few observations. His object, as he had stated now, was to obtain information whether any sum of money was to be given for the purposes he had already alluded to. Unless the governors should dismiss the present officers from their situations, he should move for leave to bring in a bill for the purpose of taking away the charter of the hospital.

Mr. *Addington* said, he could not express any opinion as to the manner in which the hospital was conducted. He had always understood that, before he had had any connexion with the office he now held, the House had come to a resolution that a wing should be added to Bethlem hospital. The confining the different criminal lunatics in one place, would relieve the country from a considerable expense.

Mr. *Bennet* said, he perfectly approved of confining the different criminal lunatics in one place; but he never would consent that one shilling of the public money should remain in hands in which it would be so scandalously abused.

Mr. *W. Smith* would not anticipate the discussion; all he wished now to say was, that when any public money was granted, a public superintendance ought to be exercised; but the governors of Bethlem hospital did resist as a body their being subject to public superintendance; and till that resolution should be withdrawn, no public money could with propriety be granted to them.

The bill was ordered to be read a second time on Monday.

IRISH MISCELLANEOUS SERVICES.] Previous to going into the committee of supply on the Irish Miscellaneous Services grants,

Sir *George Hill* expressed his hope and expectation, that his right hon. friend the chancellor of the exchequer for Ireland, would at least suspend, if not withhold altogether, the grant of 1,500*l.* to the Belfast Academical Institution. He had moved some weeks ago, for returns from that establishment, which ought before this time to have been on the table of the House; they were necessary to enable the House to see in what manner the affairs of that institution were conducted, and whether the act of parliament which incorporates the managers and visitors of that institution, ought not to be altered. It was not necessary at the present day to establish the principle, that extended benefits to society resulted from a liberal and enlarged system of education; it was universally admitted, and parliament and the government were acting with zeal and diligence upon that principle; yet education, which was the food of the mind, which enlarged, invigorated, and fitted it for every noble pursuit, might unfortunately be administered in a poisonous form, and thus corrupt and misguide the youth of the country, if under the management of irreligious, revolutionary characters. Such, he dreaded, without the interference of parliament, would be the consequences to the youth of Ulster, from the description of persons who had worked themselves into the management of the Belfast Academy—men, some of whom had figured in the horrible transactions of 1798; but who having failed in that more prompt experiment to upset the constitution by rebellion, were now attempting the slower, but surer, means of revolution, by inculcating and infusing into early youth the religious and political precepts of Paine and Priestley. In proof of these being the objects of many of the present directors of the Belfast Institution, he referred to a variety of documents. He stated some misrepresentations which had been made to the government relative to a subscription from the synod of Ulster to establish a professorship, to grant certificates to their probationary ministers; which he deprecated unless under very particular arrangements. He then adverted to a very disloyal meeting in Belfast, which had disgraced the celebration of a day otherwise dear to every good honest-hearted Irishman, the 17th of March last; when toasts of the most improper kind, and in hostility to every constitutional feeling and principle, were given and drank with acclamation, accompanied by speeches of such a tendency as to prove that a number of the managers, visitors, and masters of the Belfast Academy, who were participators at that democratic feast, could not be too soon dismissed from the superintendance of the morals and of the education of the students in that seminary. He concluded by again expressing his hope that the grant would be withheld.

Mr. *Vezey Fitzgerald* said, it was not his intention to move any grant at present to the institution to which his right hon. friend had referred. He had, in fact, presented no petition from that body, and he hoped he should be forgiven for now avoiding a discussion which, to say the least of it, was premature.—The House then resolved itself into the committee, when the right hon. gentleman stated, that having been informed that the right hon. member for Waterford (sir John Newport) was prevented that evening from attending in consequence of illness, he had communicated to him his intention of postponing the committee to meet the right hon. baronet's convenience, but this offer was declined, as there was no intention of opposing any of the grants.

The several Resolutions were then put and agreed to.

MALT BILL.] The House being in a committee on the Malt Bill,

Mr. *C. Calvert* complained of a clause in the bill regulating the amount of duty to be returned to the maltsters on their stock in hand. By this clause, the duty was to be returned according to the measurement of the stock in hand; but a deduction was to be made of 5 per cent. on pale malt, and 12 per cent. on brown malt, on the ground that an increase of bulk in that proportion took place during the process, after the duty had been paid. The hon. member, on the other hand, contended, that though there was an increase of bulk in brown malt, he was warranted, from the most extensive experience and inquiries in Essex, Hertford, Cambridgeshire, Bedfordshire, Suffolk, and Norfolk, that no increase of bulk whatever took place during the process of making pale malt, and that the increase of bulk was only a pretence set up by those unfair dealers who were in the practice of running wettings. The clause, he said, would press very heavily upon the fair dealers. He proposed as an amendment, that there should be a deduction of one per cent. only.

The *Chancellor of the Exchequer* said, that the rate of 5 per cent. had been adopted in consequence of a satisfactory experiment made by a professor of chemistry and a lecturer on agriculture at Edinburgh.

Mr. *Calvert* said, that the experiment of a professor of chemistry, who knew nothing at all about making malt, was not to be put in competition with the experience of a whole kingdom.

Mr. *Barclay* supported the amendment. He had obtained the same result from his inquiries as the hon. member.

Mr. *Harvey* supported the amendment, and thought a solitary experiment on a small scale was quite inconclusive, compared with general experience, which proved that there was no increase of bulk in making the species of malt alluded to, if the malt was well made.

Mr. *Brand* concurred with the hon. member who spoke last.

The *Chancellor of the Exchequer* said, the report was founded, not on solitary experiments, but on extensive and repeated experiments made on a large scale for the purpose of ascertaining the comparative value of grain from the different parts of the kingdom, and conducted by scientific men indeed, but with the assistance of persons perfectly acquainted with the practice of malt making.

Mr. *Calvert* said, the experiments in question were made for the purpose of ascertaining the proportion between the spirit to be obtained from bigg and that from barley, so that the increase of bulk did not affect the result of their experiments.

Mr. *Lushington* said, that from the experiments it appeared that sometimes there was an increase of bulk in the process of making white malt of 9, 10, and even 11 per cent. The average on English barley was 5.

The committee divided: For the original clause, 68: for the amendment, 30.

ALIEN BILL.] On the order of the day being moved by lord Castlereagh, for the second reading of the Bill to repeal an Act for establishing Regulations respecting Aliens arriving in or resident in the kingdom, in certain cases, and for substituting other provisions in lieu thereof, for a time to be limited,

Lord *Archibald Hamilton* said, he conceived that the bill was at the present moment wholly unnecessary, the circumstances of the times being totally different from what they were at the first enactment of this bill. The only reason that could be urged for its introduction now was, that because we had a war alien bill we should also have a peace one. If the House tolerated an oppressive measure of this kind, respecting foreigners, did they not suppose the character of the country must necessarily sink in the estimation of other nations, against whose subjects it was directed? Would the House, under such circumstances, arm the secretary of state with the power of sweeping out of the country, at his pleasure, all foreigners without reservation, be they alien friends or alien enemies, and no matter whether their residence shall have been long or short in Great Britain? The noble lord then took a review of the oppression to which an alien was exposed by the second and other clauses of the bill. An alien might be committed in the most summary manner to the common gaol, and then hastily sent out of the kingdom. The security of the country required the exercise of no such severity. If the Crown had, as it now had by the common law of the land, a power of sending any foreigners out of the land by proclamation, where was the necessity of the bill now proposed? Why should this country adopt a system of rigour, which no other country every thought of exercising? The principle of the measure was in itself so obnoxious, that it would be useless to try and modify it by the insertion of any particular clause. There was one clause, however, to which he would revert—he meant that which authorized the messenger, in whose custody the alien should be placed, to transmit, if he desired it, a representation of his case. But how was the prisoner to compel the messenger to exercise this appeal? It was astonishing that a bill so fraught with oppression should have been allowed to go to a second reading without a statement of any valid grounds or reasons for its introduction. So far from there being any thing in the circumstances of the country to justify such a proceeding, he rather thought that England, in the proud situation in which she stood, should set the example of liberality to other states, than hold out to them an inducement for adopting oppressive measures to her own subjects. It was ridiculous to say, that she was exposed to the machinations of foreigners—her insular situation rendered her less exposed than any other nation in Europe to the sudden eruption of an enemy. Impressed with the impolicy and dangerous tendency of the bill, he should conclude by moving, as an amendment to the present motion, "That the bill be read a second time that day three months."

Mr. *Addington* said, there was nothing novel in the principle of this bill; but that it was precisely the counterpart of a law that had received the legislative sanction two years ago. Little opposition had been made to that measure, and every difficulty was removed on his agreeing to introduce a clause, that aliens should have the power of appealing to the privy council. The bill therefore was not new; it was exactly the same as that which the House had before thought it expedient to adopt; and if they were right in passing the alien bill in 1814, there were additional reasons for renewing it at this moment. They were not aware, perhaps, that there had been a very considerable increase of strangers in this country; they amounted at this time to upwards of 20,000. The noble lord had stated the bill to be most severe in its enactments, and altogether unjustifiable in principle; but he did not think that sufficient attention had been paid to the subject. By comparing the present bill with the late one, this would be found not a severe measure. Under both bills the alien on his arrival is required to sign a declaration, stating who he is, of what profession, in what ship he arrived, and what were his motives for coming; he then, under the present bill, receives a certificate from the inspector at the port where he landed. Under the war alien bill, he was detained at that port till his arrival was reported to the secretary of state, which was always done, unless some respectable merchant had previously applied in his favour. He was then only allowed to proceed to London, where he was compelled to take a license of residence, the bounds of which, if he exceeded by only ten miles, he was liable to be thrown into confinement. If he wished to remove to any other part of the kingdom, it was necessary for him to obtain a passport, and a new license for his new place of residence. He could not quit the kingdom without a passport, and might be sent out of it without any power of appeal. These were the restrictions under the war alien bill: at present, after receiving a certificate, he was permitted to go without restraint to any part of the kingdom: no passport was required—no licence; he had only to show his certificate. It was true, he was subject to be sent out of the kingdom, but then he had a power of appeal to the privy council, which might fairly be considered a restraint on the royal prerogative. As to the real character of this measure, it was notorious that, according to our common law, and the law of nations, it was competent to the royal prerogative to order an alien out of the country at any time, either in peace or war; and that such power belonged to his majesty, according to the law of nations, he was prepared to prove, upon the authority of Puffendorf and other jurists. He was aware that it might therefore be asked, as it had been on a former evening, what was the necessity for a bill of this nature? But to this question he would answer, that although such a power belonged to the Crown here, as well as in other nations, there was no provision by our law, independently of the alien act, how that power was to be carried into effect. He had, indeed, consulted many eminent lawyers, and looked into various authorities, without being able to find any such provision. Hence the enactment of this bill became necessary, in order to render the authority of the executive government effective. Now, with regard to the manner in which the alien law was executed, he felt convinced, that no charge of rigour could apply to his noble relation, or to any of his predecessors in office. This, indeed, was evident from the return before the House as to the number of aliens sent out of the country since the law was enacted. But it was proper to explain one item in that return. For where it was stated that 15 aliens were sent out of the country, it turned out that 6 of these 15 were persons who, having been sent away in a former year, had again returned; and he himself, and his noble relation had reason to believe that such was the case in other instances mentioned in the return, therefore, the House should not judge of the number actually sent away, from that stated in this return. He denied the allegation, that aliens had been sent out of the country, at the request of any foreign ambassador, and asserted, that the statement of an hon. member, not then in his place (Mr. Baring), with respect to Baudet and Labouchere was extremely incorrect. For so far from any foreign minister interfering on that occasion, there was at the time alluded to, no minister in England from the country to which these persons belonged; those persons were in fact sent away in consequence of a representation from his noble friend, the secretary for foreign affairs, who although he had the power of ordering those persons out of the country, thought proper to refer to the home department. The hon. member, was therefore egregiously misinformed, and especially in stating that these two persons were sent out of the country upon any commercial grounds. As to the expense of the alien-office, that had been considerably reduced. Upon the retirement of Mr. Reeves, a new arrangement had taken place. The business of the alien-office had been transferred to the office of the home department, several clerks had been dismissed, and the expense of executing the alien law was reduced from 9,000*l.* to somewhat less than 3,000*l.* a year. To the assertion that the re-enactment of this law was likely to give offence to foreign nations, he could not at all subscribe. Such a circumstance was indeed, quite improbable; for this law had reference only to political considerations, connected with our domestic interest: it was also quite improbable that the re-enactment of this law could be disagreeable to our own countrymen. On the contrary, he had received from various quarters letters from several individuals, of whom he had no personal knowledge, strongly recommending the renewal of this measure, stating, indeed, that ministers would be supine, if they did not bring forward the proposition.

Mr. *Brougham* said, he had listened with considerable anxiety to hear what could be advanced in support of a measure, which so deeply involved the character of this country with foreign nations, but had listened in vain. The right hon. gentleman, indeed, seemed to think that he had made out an unanswerable case, when he showed that a similar bill had been sanctioned two years ago. But what defence was that of an innovation upon the common law of the land, and the principles of the constitution? Was he to be told, when he complained of a measure which violated the ancient legal practice of the realm, which set at nought, the wholesome provisions of our ancestors for the protection and liberty of all residing within the realm, and which vested an arbitrary power in the executive government, that that measure was not to be arraigned, that no jealousy was to be entertained upon the subject, because two years ago a similar one was authorized by parliament? With all due deference to the argumentative talents of the right hon. gentleman, he must still venture to think that the practice was not less novel, because it was two years old. Waving, however, for a moment all consideration of the bill in a constitutional point of view, he should like to know what parity there was between the present period and that of 1814? Was not the war completely over? Were we not in a state of profound peace? On the contrary, when the alien bill was passed in 1814, they were told that though peace indeed, had been achieved, there was abundant room for alarm, for that the peace was not consolidated. France then had a large military force, undisbanded, unbroken by any great and signal defeat, and the person who hitherto had wielded that powerful engine, though removed from France, was yet not in that state of safe custody (not under lock and key if he might so speak), in which he now was. The necessity, therefore, of the two periods, would bear no comparison. But the right hon. gentleman seemed to rely also upon the circumstance, that this peace measure, as he called it was more lenient than the war measure. That might be an argument in favour of the bill, if the bill were fit to be tolerated at all; but it was absolutely worth nothing, so far as it went to prove the propriety or expediency of an innovation upon the law of the land subjecting all foreigners within the realm to the arbitrary will of a minister, to show that we had a similar measure in time of war, but somewhat severer. What the right hon. gentleman should have done, would have been to demonstrate the actual necessity, and not refer to a past necessity; but an actual necessity was not even pretended. The right hon. gentleman seemed likewise at a loss to imagine why they, on that side of the House, felt so much jealousy upon the subject, and in order to convince the House that there was no ground for jealousy at all, he quoted the authority of Puffendorf. Puffendorf! a Swede, a writer upon the law of nations, a jurist, brought in by the right hon. gentleman to decide upon a question of municipal law, to determine whether it was compatible with the British constitution, of which he knew nothing, of which he could know nothing, that aliens should be subjected to certain restrictions!—[Hear, hear]! He was a little astonished indeed to hear Puffendorf appealed to by the hon. gentlemen opposite, for he remembered some years ago, when a question which really involved the principles of public law was agitated in that House, when they had to discuss the legitimacy of an attack, carrying war and devastation into a friendly foreign state, and Puffendorf was quoted to show what were the great maxims of the law of nations, as applicable to that particular case, the answer from the other side of the House was, what! would you have us sink in this great struggle upon the authority of Puffendorf; would you have us go to the bottom with Puffendorf in our pockets; would you have us perish, because Puffendorf has declared, that we had no right to do what we did? As to Puffendorf, however, he wished to be understood as speaking with all that deference and respect to which his great authority, as a jurist, entitled him to; but the right hon. gentleman might as well have quoted the Koran, the Talmud, or the Levitical law, to support his argument, as to plead his Puffendorf. For his own part, he should go to different and to better authorities; he would cite the common law and the statute law of these realms, and call upon the right hon. gentleman and his hon. and learned friends who sat near him, to declare what other law there was upon the subject, and upon what grounds the novel and alarming proposition rested, that the king, as a matter of right, in a time of peace, could seize the person of a peaceable alien foreigner, residing within the realm, and send him out of the country. It was contrary, in his opinion, to Magna Charta, and to the Habeas Corpus act. By the 30th chapter of Magna Charta, important privileges were given to merchant strangers residing in this realm. They had full power to enter it, to sojourn therein, to tarry, to move about, and to go out of it, as they listed, unless prevented by a public previous prohibition. He perceived that the hon. gentleman opposite seemed to attach some important meaning to the latter words, "a public previous prohibition," as if they made for their arguments; but he would remind them of the exposition of those words by one of the most profound constitutional lawyers, and the most learned to in a technical sense, which the jurisprudence of this country could boast. He alluded to lord Coke, and his interpretation of the words *publicè prohibiti* was, prohibiting by act of parliament. That authority he regarded as a complete confirmation of his argument, and put an end to all doubt upon the subject. He would not, however fatigue the House by going into questions of law, because he was utterly at a loss to conceive upon what ground such an assertion had been hazarded. The law, in his opinion, was the same for British subjects and foreigners so far as respected personal liberty, though the latter were certainly under some restrictions with regard to property. The right hon. gentleman seemed surprised that any offence should be taken at the slight impediments, which it was proposed to fasten upon the aliens who might choose to come into this country. According to the right hon. gentleman, they might enter when they pleased, go where they chose, and remain as long as they wished, provided only that they had a certificate from the alien-office. "Provided only"—and that provision was, in itself, a sufficient grievance, since the spirit of the act was to shut our ports against the admission of all strangers, unless they obtained such a certificate. But what followed? After he had received his certificate, it was true he might go from place to place without passports; happily they were not known in this country; but was it nothing that he was liable at any moment to be taken up without notice, to be placed in the custody of a king's messenger, and within a limited time to be sent out of the country? Was all that nothing? What a mockery it was to say he might move about, that he might go from London to York, if he chose, when before he got half way there, nay before he reached Barnet, perhaps, the Crown stepped in upon the information of some malignant or interested person (the case was supposable, and that was enough for his argument), and instead of allowing him to proceed whither his affairs might call him, he was hurried out of the kingdom. Would the right hon. gentleman contend that a liability to such hardships was a mere nothing? Would not the existence of such restraints greatly affect the number of strangers who might otherwise enter the country? Would not foreign powers entertain strong feelings upon the subject? He had no hesitation in saying, that the effects of the present bill would be heard and felt by our merchants abroad, by the subjects of this realm, whether travelling for health, or tarrying for pleasure, and if remonstrances should be made, it would be pleaded in answer, "England treats our subjects the same, and can you wonder that we should retaliate?"—The impolicy of the measure was hardly less than its unconstitutional character. The British empire had always been regarded as that spot in civilized Europe, where every man was secure in his property, his liberty, and his opinions, no matter what country gave him birth. History attested, that when persecution drove the inhabitants of the south of France, of the Low Countries, of the north of Italy, from their habitations, our hospitable shores were crowded with refugees, who sought here that freedom and that safety which their native land denied to them. They sought it, and they found it. They brought their wealth, where they had any, and they brought what, perhaps, was more valuable, their industry and skill, which they poured into our lap. The asylum which our humanity granted they amply repaid. Were we, then, now prepared to abandon that mild, and liberal, and humane policy, which had earned for us so honourable and glorious a distinction, and by fettering the alien foreigner with restrictions, or suspending penalties over his head, render even this country no longer his secure refuge in the moment of his calamity? [Hear, hear!]. Even in recent times, and he appealed to the knowledge of many who heard him, there had been actually remittances made to this country by persons abroad, in consequence of apprehensions of violence on account of religious differences. He did not name any particular state, because he did not wish to mingle a very important question with the one then before them: but the fact was undoubted, that large sums had been so remitted, in the confident expectation that they to whom they belonged might enjoy here, as formerly, the full benefit and protection of English laws. Upon that ground, therefore, but more especially upon the ground of retaliation which our own subjects might expect from foreign powers, he would earnestly solicit the attention of government, and earnestly entreat them not to pass the present bill. The right hon. gentleman, and others, who had advocated the measure, talked much about the advantage which aliens enjoyed under the act, of appealing to the privy council. Now what was the nature and value of that appeal? An example is arrested on malicious motives; some individual, concealing these motives, denounces him to the secretary of state for foreign affairs as a dangerous person, and fabricates some story to that effect: the secretary of state, all eyes and ears, receives the story, and the result of the *ex-parte* statement is, that this dangerous person is ordered to be taken into custody. The alien is then served with a notice in English, which he is not bound by the act of parliament to understand, and which no act of parliament can make him understand, and he is then at liberty to appeal to the privy council; here it would be supposed that counsel would at least be allowed to speak for him; but no! he (Mr. Brougham) could state on the very highest law authority, and from a very late case, that counsel was not allowed; no examination face to face, no cross-examination; a mere *ex-parte* statement was received, and the secretary of state, who could not be questioned, acted on his *sic volo, sic jubeo;* nothing could be done. In a very late instance, a judge, applied to for a habeas corpus, stated that it was impossible it could be granted. Better abolish the clause of appeal altogether, for the protection it would afford was perfectly nugatory—it was a mere mockery. The bill should rather come out in all its premature deformity, with all its first revolting features, with all its array of arbitrary injustice, than receive a disguise that signified nothing in ameliorating its operation, but only allowed it to work with more insidious effect under the semblance of qualifying and redeeming provisions.—Then came the justification of the present measure from the mildness with which the powers granted under a former act were exercised. Only one or two persons, it was said, had any reason to complain of severity; and as there was no abuse of power formerly, therefore we now should grant power that was liable to be abused. But were two cases of injustice in sending persons out of the kingdom to be considered of trifling importance? Suppose two Englishmen, instead of two aliens, had been so treated by a minister of this country, would he not have deserved impeachment for his conduct? But here it was again pleaded that those merchants were not banished from this kingdom on the application of the ambassador of their own state, because there was no resident minister from that state here at the time when this tyrannical exercise of authority was practised, and that, therefore, the administration was not on this occasion made the instrument of gratifying the malice of foreign governments on those of their subjects who had taken refuge under the protection of ours. This might be the case: but was there, he would ask, no other inference? Did not the minister of some other foreign state apply for the banishment of those individuals? Supposing, however, that there had been no instance of oppressive severity—supposing that, as the right hon. gentleman declared, there were the best reasons of state policy for the act to which he alluded, still this previous mildness in the employment of powers that were capable of being exerted for the purpose of oppression, constituted no reason why these powers should be continued, and afforded no guarantee against abuse in their future exercise. Because no violent injustice had been committed, because ministers had found no occasion, or felt no inclination to inflict penalties upon foreigners in times past, by sending them out of the kingdom where they exercised their professions, or conducted their commercial business, therefore the right honourable author of this bill required us to surrender Magna Charta and the Habeas Corpus act!—But the House was informed that this measure was necessary on account of the great number of aliens now in this country, whom it might be dangerous to leave under the common authorities, and subject to the common operation of law only. There were 20,000 aliens (a population equal to that of some of the continental states), and therefore it was necessary to pass an alien act. Their great number surely could be no reason why they should be oppressed, as it held out no probability that they could become dangerous. We had twelve millions of native inhabitants in Great Britain, and yet we never apprehended that their numbers would set them above the laws, or afford any pretext for narrowing their liberties. There were 10,000 Irishmen in Liverpool, there were 100,000 Irishmen in London and other parts of England, but we never thought of arming the government with extraordinary powers against them. According, however, to the mode of reasoning adopted by the supporters of the bill, we should take precautions against the Irish, who were infinitely more numerous than our alien friends, and pass a similar act for regulating their entrance and egress into and out of England. The right hon. gentleman had advanced the extraordinary position, that he was not bound to show that the foundation of his bill was laid in law, justice, and reason; but that the proof of its oppression and inexpediency rested with those who opposed it, thus laying the *onus* of making out a case against the measure on his (Mr. B.'s) honourable friends near him, instead of attempting such a justification as would render opposition ineffectual. He would say, however, that it was the right hon. gentleman's business to make out a defence for his bill. It belonged to him who proposed to alter the state of our laws to point out the reason, wisdom, and necessity, of the changes he contemplated. He had not done so in any degree; he had not stated one reason for adopting a measure so oppressive; he had not removed one objection. On these grounds he would oppose the bill, even as modelled into its peace form; he would not accept even the mild dose of the right hon. gentleman. The war alien bill could be defended only on the ground of necessity. We were now in profound peace; we incurred no danger from any number of alien friends that might seek admittance into this country. There was therefore no justification of the present bill—not even a shadow of reason in its favour. It should be reprobated and opposed by every one who had any regard for justice, who had any reverence for the constitution of his country, who had any respect for its ancient laws and liberties, and who, extending his views to the character which the nation to which he belongs enjoys among other states, had any anxiety that the estimation of England should stand high among foreigners.

The *Solicitor-General* said, that being called upon by his hon. and learned friend to explain his opinions on the laws affecting aliens, he would answer the appeal by a few observations. His hon. and learned friend had requested him to declare whether he considered the king to have the power of regulating the conduct of aliens in this country, or sending them out of it, as provided for in the bill under the discussion of the House, independently of the enactments of that bill? He did not hesitate to answer that he had not such a power. Indeed, had this been the case, the present bill would have been useless. It would be absurd to make a statute where we had the authority of common law. This measure was therefore proposed to supply the defect of the law as it now stood; and to grant the king a power which by the common law was not within the royal prerogative. The king had the power by proclamation to prohibit the entrance of aliens into the realm, or to send them out of it [Hear, hear! from the opposition benches]. He did not mean to say, that his majesty could by virtue of his prerogative deport aliens, or forcibly send them out of the country; but he could order them to leave it, and if they disobeyed, he could indict them for disobedience to his commands. Disobedience to the authority of a proclamation was an indictable offence as much as disobedience to the command of an act of parliament, which contained in itself no specific penalties for enforcing it. He would state the reasons on which this opinion was grounded. No alien had a right to come and reside in this country without the consent of the state. An alien in many respects was different from a natural-born subject, particularly in his privileges, and the power that the state had over him. The alien had nothing but temporary residence; and though in some respects he was a subject, in others he was not. When he chose to leave the realm, the state had no power to detain him; and after he had gone, it had no power to recall him, as it would a natural-born subject. If a natural-born subject left his country, his allegiance was still due to its government; he might be summoned again to its service, and if found in the ranks of its enemies, might be considered as a rebel, and punished accordingly. The native could enter his country at all times: he had a right to do so. The alien had none. It belonged to the state to admit or to reject his claim of admission. If this authority resided in the state, as it did, in what quarter was it placed? Did it exist in the legislature?—No: it belonged to the executive to enforce the laws [Hear, hear!]. He adhered to this, and would establish it by analogy. Who exercised power over a natural-born subject?—the king. If he wished to leave the kingdom, who had the power of preventing him?—the king. If he was absent, what recalled him?—the king's proclamation. If he did not obey the proclamation, in whose name was his property seized, and his punishment awarded?—in the king's. On the same principle that the king exercised this authority over natural-born subjects with regard to their entering or leaving the realm, he could admit aliens into the country, refuse them admittance, or order them to depart. The hon. and learned gentleman had rested his argument on the enactment of Magna Charta with regard to merchant strangers. He had extended too much the meaning of that statute. The charter indeed enacted, that merchant strangers should be allowed to enter and to exercise the trade without molestation or hindrance, unless publicly prohibited. This did not, however, refer to all aliens, nor did it mean to protect those whom it concerned from the power of the king, but merely from the vexation of his subjects. At that time a great jealousy prevailed with regard to the admission of aliens, particularly among the corporations and trades, whose profits might be reduced by competition with foreigners. If this was not the proper interpretation of the statute, why were merchant strangers mentioned instead of strangers in general? or why did it protect merchants alone, instead of aliens indiscriminately?

Was there any authority in support of the doctrines he had stated? He might appeal to Mr. Justice Blackstone, who would be allowed by the hon. and learned gentleman to be well acquainted with Magna Charta. His opinion was stated in his Commentaries, and the purport of it was, that so long as aliens conducted themselves in the spirit of the laws, they were allowed to reside in this kingdom, but that they were liable to be sent out of it when the king should think it expedient to exercise his prerogative. He might add to the authority of this learned judge that of a law authority in 1705. He alluded to an opinion given by sir Edward Northey, attorney-general in queen Anne's reign, and he did not think his authority should be the less valued, or the more distrusted, on account of the official situation which he held, as it did not necessarily interfere with his impartiality. But he thought proper to say he attached no particular value to the opinion of any person purely on the ground of that person being a law officer. The authority of such an opinion depended solely on the knowledge the individual was supposed to have of the law. But when a person was placed in an official situation, it certainly was his indispensable and sacred duty to look neither to the right hand nor to the left, not to be biassed by what he might know were the wishes of the Crown, but to give his opinion as sacred as a judge. In several provinces, where no legislative authority was established, such as was in this country, the king had that authority. Accordingly, in the province of Maryland, certain papists and jesuits, of whom some were aliens and some British subjects, having come for the purpose of establishing colleges and making proselytes, two questions were put to sir Edward Northey respecting what should be done. The first question was of no importance, but the second was—"In what manner shall these persons be sent off?" The answer which that celebrated lawyer gave, was, that if they were aliens, not made denizens nor naturalized, her majesty might by law compel them to depart Maryland, though she had no right to dispose of British subjects in that manner. He (the solicitor-general) was not aware of this right being denied by any law writer, though he should be very happy in being corrected if he was wrong. He therefore conceived that by the common law the king was entitled to exercise this right. He can order them to go by his proclamation, and in case of their disobedience, they can afterwards be punished. He agreed that it did not follow that because an act was necessary in war, it was necessary now when we were in a state of profound peace, but while he would allude to former acts passed on this subject, he certainly thought the present proposed measure was a very wise and politic measure. In the year 1793, when the revolutionary spirit, which had in France overturned the most venerable fabrics of antiquity, threatened to overwhelm all that was sacred or valuable in other countries, this act was first passed. Though there was sufficient grounds one would naturally have thought then to justify the act, yet it met with as violent opposition as the present one did. Subsequent events, he thought had now convinced the country of the salutary effects that had been produced by the act. About two years ago its renewal was opposed on the same grounds as now, namely, that from our being in peace and amity with the whole world, we had no cause of alarm, and that such an act would only disgrace our statute book. And yet the astonishing occurrences of a short period after this opposition were such, as to induce the House to have recourse to the war act. He therefore decidedly approved of the continuance of the act as a very proper measure. It was true, that the present was a time of peace, and he trusted it would long continue to be so. But though the great revolution which had occurred, had now subsided, though the agitations of public feeling had been calmed, he could not think every mischievous principle was eradicated from the mind. He, for one, could never suppose that the awful occurrences of twenty-five years were to be removed by the mere signature of a treaty, and that things were instantly to return to their ordinary channel, solely on account of that signature. The revolutionary spirit had indeed been quelled, but it still existed, and was crouching to wait a proper opportunity of showing its hideous form [Hear, hear!]. As this country had, by the energy of its councils and the bravery of its arms, risen to a height unparalleled in its history, and acquired the possession of inestimable blessings, he certainly deprecated the idea of our again exposing those blessings to danger by a want of precaution. It was said, no doubt, that this power might be abused. He admitted, that power in every case was liable to abuse. Many persons, it was well known, came to this country, or might come to it, under assumed mercantile characters, who were enemies to the country. It was true, we had no alien enemies at present, and it had therefore been urged that we were pressing a measure against alien friends. But let it be remembered, this was a bill to guard us against those who might assume the character of alien friends, while their designs were the overthrow of our happy constitution. He conceived, unless the House thought they were now arrived at a period when precaution was no longer necessary, that so far from any possible harm resulting from the bill, it would, on the contrary, be productive of much good, and as such it met with his support.

Sir *Samuel Romilly* said, that he rose, not for the purpose of following his learned friend through all the important legal discussions into which he had entered, but rather to bring back the debate to the merits of the bill. Its merits, in his opinion, did not much depend upon the common law right of the Crown over aliens, and he should think it a misfortune if the debate were to be carried on exclusively by persons of his profession. The bill must be decided on with a view to general policy and expediency, and it was desirable to have its merits discussed by statesmen rather than by lawyers. When he said this, however, it was not for the purpose of avoiding giving an opinion on the important question which had been discussed, and he had no hesitation in saying that in his opinion the king had not the power in time of peace, to send by his prerogative aliens out of the country. He knew of no authority for that doctrine; for the loose *dictum* of Mr. Justice Blackstone, stated without reference to any other book, though for almost every other proposition in his work he thought it necessary to quote his authorities, could not be considered as entitled to any weight; and as to the opinion of Mr. Edward Northey which had been cited, he protested against producing such authorities on great constitutional points, as the opinions of attorneys and solicitors-general, given at the instance of a secretary of state or of any other ministers. If such a practice were introduced, it would not be difficult, by ransacking the repositories of the secretary of state, and of the council-office, to find authority for the most dangerous doctrines.

The *Solicitor-General* stated that he quoted the opinion from print—from Mr. Chalmers's book.

Sir *Samuel Romilly* said, he supposed that Mr. Chalmers must have got the opinion from those repositories. He did not recollect that sir Edward Northey's was considered as a name of much weight in the profession: he recollected, indeed, that he had been attorney-general under several administrations, and that he is mentioned by dean Swift, though not very respectfully; but among legal authorities, he did not remember ever before to have heard his name mentioned.

To turn from these topics, however, he would desire the House in the first place to consider what individuals come within the operation of the bill. His learned friend seemed to have altogether mistaken the object of the bill; for he supposed that it was framed merely to prevent foreigners from entering in future into the country, without the permission of his majesty's government, and therefore he had described it as a bill to prevent alien enemies from coming amongst us under the mark of alien friends; whereas the bill extends not merely to persons hereafter coming into this country, but to 20,000 individuals already domiciled here; many of whom have resided amongst us for many years, have carried on business here, have here fixed their families and their establishments, have all their property in England, have married into English families, and have made England their country and their home. He could not better point out to the House who were the persons who would fall under the control of this bill, than by mentioning the difficulties which his majesty's ministers at present threw in the way of all naturalizations. The House of Lords thought proper some years ago (he thought not very constitutionally), to make a standing order, that no bill of naturalization should be read in their House a second time till there had been produced a certificate from the secretary of state, that the person named in it was a proper subject to be naturalized. The way on which the secretary of state exercised this discretion at present was, by refusing his certificate in almost all cases, and that for no other reason than that persons naturalized were released from the restraints of alien bills. A very extraordinary case of this kind had come lately to his knowledge professionally: a gentleman, a native of Germany, who came to this country when he was only eleven years old, had resided in England for fifty years, had acquired considerable property, and every shilling of it was in England. He was engaged in business, and had been for many years concerned in the flax trade. An act passed for the encouragement of that trade in the reign of Charles the Second declared, that persons engaged in it for three years should have all the rights of natural subjects. In these circumstances a friend of his devised to him and another person real estates of the value of 260,000*l.*, upon trust to sell them and pay legacies and debts. He contracted to sell them, and then for the first time it was discovered that the act of Charles the Second had not completely naturalized him, and that he could not therefore make a good title to the estate to those who had purchased them. He applied to the secretary of state for his certificate, in order that an act of naturalization might be passed, and though all these facts were stated in his memorial, and he produced a certificate of his loyalty and good character, signed by many members of parliament and respectable merchants, his application was refused. He could specify many cases of a similar arbitrary nature, though none quite so bad as this. Let not the House believe they were merely called on to vote against the introduction of too many foreigners into this country. This was a view of the question he particularly wished them to avoid. The returns of aliens made to the House was the best criterion to decide this question by. In war there was above 18,000 in the country, and at present there was only 22,000. It was impossible the House could know the grounds on which the bill stood, if the assertion of the noble lord, that he could state a much stronger case for the enactment of the bill now than in the year 1814, was to be credited [Hear]. If he had any such case, why had he not stated it? But the fact was, in 1814 the number of aliens was 21,616, and now it was 22,619, making an increase of one thousand and three souls, men, women, and children [Hear!]. This, no doubt was a very strong case, or, to use the expression of the noble lord, a much stronger case than in 1814 [A laugh]. It was said by the right hon. gentleman (Mr. Addington), that he had reason to believe that soon there would be a great increase of foreigners coming to this country. On what was this supposition founded? Did ministers foresee any change in the state of Europe which would cause strangers to seek that liberty here which they were bereaved of at home? The right hon. gentleman had spoken mysteriously, and probably he might have mistaken him. The bill, however, was nothing more than a preparation on our part to exclude from our shores such individuals as might be driven by necessity to seek some freedom here [Hear, hear!].

He must say that he was not at all satisfied with the explanation given respecting the case of the two dutch merchants. The right hon. gentleman had said, that the direction for sending them away had come from the foreign office, but the noble lord, the secretary for the foreign department, had never yet denied that he had interfered at the instance of a foreign minister. It was said that the law had been mildly used. He did not deny that, as far as numbers went, the powers of the act did not appear to have been abused; but while he gave ministers credit for this, he would ask the House, what occasion there was for the bill being now passed, when the removal of aliens from this country since 1793 to the present day was so rare? Was it owing to more danger being apprehended now while in peace, than when the revolutionary phrenzy of France was at its height? It was proved satisfactorily in one case, that ministers had abused their power, he meant the case of Berenger. They had seized his papers under the alien bill, and then given them over to be used against him in a criminal prosecution, though neither under the alien bill nor by the common law had the secretary of state any right whatever to seize his papers. It had been asserted, indeed, in that House, that as he was charged with a misdemeanor, his papers might be seized; but the contrary was solemnly decided in the case of Entick *v.* Carrington.*

The admirable judgment of lord Camden in this case had lately been published in the New Edition of the State Trials, a Work edited with such judgment, learning, and industry, as to be an invaluable addition to our stock of knowledge, both in History and Law; and the recent death of the editor of which (Mr. Howell) could not but be considered as a great public loss.*

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* See Howell's State Trials, No. 541. Vol. xix, p. 1030.

The papers of an alien were as sacred as those of a natural subject, and it was obvious what an engine of oppression would be put into the hands of ministers if they would not only send away aliens at the instance of foreign ministers, but also seize and examine their papers. So little was it thought at the peace of Amiens that the king would send foreigners back to their own country, which is what Mr. Justice Blackstone asserts, that when by that treaty it was stipulated that persons charged with murder, forgery, and fraudulent bankruptcy, should be mutually delivered up; it was found necessary to have recourse to parliament to enable the Crown to perform that stipulation. In the year 1803, when 1,700 persons were ordered by his majesty's proclamation to leave the country, and when they had gone, were refused admission to France, and had again to return here, these persons conducted themselves with the utmost propriety after their return; but what must have been the consequence had they been received in France while the republican system was carrying on under Robespierre? Could any man doubt that they would have been sent to the scaffold? He himself knew a very worthy man, a teacher in this country, who, on a misrepresentation, was ordered to leave the country, but fortunately found means to get the order countermanded. This misrepresentation was afterwards found to have been given by a rival teacher. And certainly had the order not been annulled, the poor man must have been sent to poverty and beggary, as his whole existence depended on his teaching here. It was said there was a power of appeal, that power of appeal alone lay with the lords of the privy council, who, on the individual making an excuse for his conduct, were to judge whether that excuse was valid or not. The individual, let it be observed, was to prove the negative of the charges brought against him. But how was he to know these charges? And how was he to defend himself without such knowledge? A man, for example, might charge another with saying that he wished the French much success, and he would be very happy to see Buonaparté carried in triumph through the streets of London. Well, the accused being sent for, was unable to defend himself. If guilty, he might suspect the cause of his being sent for, and thus apologize for himself so far; but if innocent, his case was the more embarrassing. Yet this was what was called a power of appeal! Perhaps the individual knew not our language, and though he might find some of the lords of the privy council who could talk French, he might belong to a country, the language of which was unknown to any of them. Such a case required not to be dwelt on; it spoke for itself, and he therefore thought it was better at once to strike out that clause altogether. He was astonished that his hon. and learned friend had not remarked that the act established every man a foreigner, and threw on him the burthen to prove that he was not so. This proof it was in many cases difficult to afford. For instance, if a person were naturalized by having resided seven years in a British plantation, or if he had been born abroad of a British subject, how would he, in many cases, be able to establish the fact? Even when a man was a native of this country, it was frequently a matter of the utmost possible difficulty to prove it. This provision of the act, therefore, was so repugnant to all justice, that he was surprised his hon. and learned friend had not noticed it. His hon. and learned friend had argued, that because the opposition to the bill in 1793 was unfounded, that therefore the present bill ought not to be opposed. The cases, however, were very different. Mr. Pitt would never have ventured to propose such a measure in a time of profound peace; but his majesty's present ministers had not the same scruples or apprehensions; they at once rushed in where Mr. Pitt would not have dared to tread. Every writer on the British constitution had expatiated on the liberality with which the British laws treated foreigners. Even in the dark ages of our history this wise policy was prevalent. By a statute of the 27th of Edward 3rd, merchant-strangers and others were liberally encouraged to visit this country. An act of Queen Anne, though not of long duration, naturalized all protestant foreigners. In the commencement of the reign of Elizabeth, when circumstances induced a bitter spirit of hostility between this country and Spain, the same liberal policy was evinced. Now, however, this country, it seemed, was always to have an alien bill in war, and an alien bill in peace, and on the proposition for the latter to appeal to the former as the standard of proper restraint on the subject; in comparison with which if a milder measure were recommended in peace, it was maintained by the noble lord and his friends that it ought to be allowed to pass without opposition. He trusted, however, that parliament would not consent, in a time of such public security as the present, again to depart from the liberal policy of our ancestors on this subject.

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* A continuation of this Work is now in the Press, edited by the Son of the above named gentleman.

Lord *Castlereagh* said, that having been particularly called upon by the hon. and learned gentleman who had just sat down, he begged leave to trouble the House with a few observations in the present stage of the measure under their consideration. Certainly, the hon. and learned gentleman had very naturally and very fairly called on the person by whom the bill had been introduced into parliament, to explain the policy on which it proceeded: the more especially, as on a former night that person had undertaken to satisfy the House of the expediency of the measure whenever he might be required to do so. In arguing this question, it would be necessary to compare the policy of the present measure with the policy which had dictated former measures of a similar nature, and to show that there was a correspondence in the general spirit in which all had originated. The hon. and learned gentleman had stated him to have asserted, erroneously, that he (the hon. and learned gentleman) had always opposed the policy of the measure. He could assure the hon. and learned gentleman that he had no disposition to misrepresent him. All he meant was, that he had always found when the measure in any of its shapes was under consideration, that persons of great authority on the other side of the House were anxiously prepared to contend against its policy and propriety, and against the existence of an adequate necessity for its adoption. It certainly did not require the great talents of the hon. and learned gentleman to prove that the question of leaving in the hands of the executive government the discretion which the bill purposed to leave in them, might be a very fit subject for parliamentary discussion, and that without reference to particular circumstances, it was foreign to the genius and character of the institutions of this country, to confer on the executive government a power so liable to abuse. It was very easy for the hon. and learned gentleman to quote statutes to show, that the genius of our constitution leant to the side of liberality in the treatment of foreigners resorting hither. But the difference between him on the one side, and the hon. and learned gentleman, and those honourable gentlemen who opposed the bill of 1793 on the other side, was, that the latter, while they were perfectly sensible to the possibility of abuse in the execution of the bill, and to the disadvantage of narrowing the access of foreigners to this country, and the protection of them during the period of their being here, in ordinary times, appeared to be utterly insensible to the danger which might arise to the country from the unrestrained resort of foreigners in times of no ordinary description.

The noble lord said, he had no difficulty in admitting the inconvenience of limiting the resort to this country of foreigners, and the possibility of abuse attendant on any law for effecting that purpose; but the question was, whether or not the danger to the state from the unrestrained access of strangers was such as to justify parliament in sleeping over it, and in refusing to confide to the executive government the means by which that danger might be effectually guarded against. Common sense must convince every one that the sovereign, who by his prerogative had not the means given him to guard against the injury which the state might suffer from aliens, ought in a time of danger to have that vested in him for the better security of the state. This was an aid which the legislature ought not to give in ordinary cases. But it by no means followed, because it was consonant to the principles of our law to treat foreigners with liberality, and for wise and beneficial purposes to encourage their resort to the country in ordinary times, that it was less consonant to the principle of our law, in extraordinary times, to provide means of security against the danger which the resort of those strangers might threaten. Reference must always be had to the particular circumstances of the case. He admitted to the hon. and learned gentleman, that without such a reference the laws of this country were abhorrent from any such regulations as those proposed in the bill before the House. They were not to be found in the ordinary war policy of this country. It was not the practice of parliament to arm the executive government with such powers in ordinary wars. They were only known to that description of war, in which a system existed the object of which was to attempt to shake all the governments of the world—a system that had been prevalent for the last 20 years.

He would not go back to argue the policy of the act of 1793. Whether the hon. and learned gentleman, or whether the hon. gentleman on that side who contended that the act of 1793 was uncalled for by the circumstances of that period still maintained that opinion, was another question. But of this he was sure, that to the great mass of parliament and of the country, it was quite unnecessary for him to prove the wisdom of the measure adopted in 1793, to which the continuance of tranquillity in this country was in a great degree attributable. It had been attempted to argue the question as if the law was not narrow in its application. The hon. and learned gentleman, on a former night, seemed to conceive that the only object of it was to defend the country from the mischievous purposes of aliens who might conspire with other individuals to subvert the government. He (lord C.) held that the law had a more extensive range. He admitted, and indeed contended, that there could be no greater abuse of the law than by allowing it to be the instrument of indulging the malevolence of foreign governments in gratifying personal resentments, or inflicting punishment on individuals who had committed only political crimes against those governments. Unless the executive government of this country could bring home to any individuals the intention of shaking the government of this country, they ought to be disarmed, with reference to those individuals, of the powers to be vested in them by the bill. As to the question of hardship, it was obvious that by putting extreme cases, there was scarcely a law in the whole code of British jurisprudence, to which the imputation of hardship might not attach. But it was not with a view to extreme cases, but to the great mass of cases that the legislature was called upon to proceed. It was monstrous to suppose, that if during a war foreigners were sent to this country not to conspire with individuals in the country, but to obtain information which might enable the enemy to wound the vital interests of the state, the executive government should be unable to interfere for the purpose of preventing the execution of their design. The object of the bill was to defend the essential interests of the British empire, in a moment of exigency, against the schemes of aliens who might meditate the most mischievous designs. If a foreign minister were to require that the powers given to the executive government of this country by the bill should be exercised for a vindictive purpose on the part of his government, he would require a gross breach of the principle of the law. But if he gave the executive government reason to be satisfied that an alien came to this country with hostile intentions towards it, that government would be answerable to the sovereign if it did not employ the powers comprehended in the bill, to protect the sovereign and the state against the designs of such a foreigner.

As to the policy of the measure in peace, the sense of parliament had been too strongly expressed on that subject to warrant the least doubt of its object. The measure, in an extended shape, had been in force during all the war. That parliament, under the existing circumstances of Europe, recognized the necessity of a similar measure, though mitigated in its enactments during peace, was evident from their having twice given their sanction to it. The hon. and learned gentleman had founded his argument against the bill in a great measure on the circumstance, that the foreigner, against whom its enactments might be enforced, would be incapable, in his appeal to the privy council, to defend himself, from his ignorance of the language, and that he was not permitted to employ counsel in his defence. He (lord C.) apprehended that there were many cases in which the subjects of this country were not allowed to have the benefit of counsel. With respect to the other objection, the foreigner could have no difficulty in obtaining an interpreter to assist him in making his case intelligible. In the particular instance to which the hon. and learned gentleman in the course of his observations had alluded, the alien availed himself of the assistance of an interpreter.

He would now advert to the principle on which the legislature had already enacted two peace alien bills. That principle was a determination to follow up the obvious policy in which the law had originated in 1793. No reasonable man could assert that the danger which rendered the measure of 1793 necessary, had ceased with the conclusion of the war. Although it was very gratifying to think that the evil principles which had called for the measure of 1793 had diminished in malignity, he must be very sanguine who supposed that they were exterminated, or even that they had to a considerable degree ceased to exist. Would the hon. and learned gentleman endeavour to persuade the House, that if an opportunity were again to offer for bringing those principles into practical operation, there were not in this country malignant spirits who would be very anxious to give them effect? Would he contend, that all precautionary arrangements to meet this evil were unnecessary? The honourable and learned gentleman said, that he (lord Castlereagh) had undertaken to prove, that if policy justified this measure on former occasions, it more strongly justified it on the present. The view which he took of the subject was this:—If it was wise to pass an alien bill after the peace of Amiens, and after the peace of Paris, it was still more imperative on parliament to pass one at the present time. The hon. and learned gentleman, on the second bench (Mr. Brougham) seemed to have recognized his (lord Castlereagh's) view of the question, as being one not of internal danger alone, but of general danger, affecting the security of the state, both from within and from without; for he understood the hon. and learned gentleman to say, that last year there might have been some danger, as France had a considerable army in the field, and as there were circumstances in the policy of this country that marked a degree of jealousy and suspicion; but that no such danger could be asserted to exist at the present moment. But would the hon. and learned gentleman say, that if the peace of Europe were again to be overset by any sudden event, the danger would not be as great as when it was overset last year? Were there not now as many elements of mischief in France, if they could be brought together, as on that occasion? The very circumstance of the convulsion which happened in Europe, immediately after the passing of the alien bill of 1814, ought to teach parliament the general policy, in the age in which we lived, of adopting precautionary measures rather than of relying on those external appearances of tranquillity which, in ordinary times, would certainly be sufficiently satisfactory. He put it to the hon. and learned gentleman whether he was not conscious that he had stated an extreme case, when he asked, if he (lord Castlereagh) meant to call the powers of the bill into action, for the purpose of making it the engine of political vengeance on the part of the French government? The hon. and learned gentleman having raised this phantom of his own imagination, combated it with great ingenuity, and obtained over it a complete triumph. But he would ask the hon. and learned gentleman in his turn, if he would recommend government and parliament to throw open the country to all those violent and troubled spirits who assembled about Buonaparté when he made his last desperate effort to disturb the repose of the world? Would the hon. and learned gentleman think it a wise or a becoming policy, to give unqualified and unlimited protection to all those aliens? Would he give unrestrained admission to all French subjects? Whatever might be the sentiments of others, he (lord C.) was not prepared to adopt such a line of policy. If the House thought with him—if they were not disposed under all the circumstances of the times, to go to the extent of liberality to which he had alluded, they must of course place in the hands of the executive government a discretionary power to use such measures as might be demanded for the security of the British empire.

He wished now to say a few words as to the sentiments of the other powers of Europe as dependent on this measure. The hon. and learned gentleman appeared to apprehend, that they should incur the indignation, or at least the ill-will, of the various states of Europe, if they entrusted the executive government with the means of protection which the bill afforded: and that those states would feel the injury so sensibly, as to induce them to resent it towards British subjects in their respective dominions, who, in all likelihood, therefore, would be treated with less liberality than they had hitherto been. He thought he could effectually relieve the hon. and learned gentleman from this alarm; for the powers of Europe to which he alluded, had expressed their sentiments very unequivocally, with respect to the promiscuous and undistinguishing admission of French subjects into other countries more especially into countries immediately bordering on France, in which, of course, greater facilities existed for fomenting disorder, and throwing public affairs into confusion. While those governments opened their own territories (which being distant were not exposed to so great a danger) to such individuals, they strongly recommended to the states bordering on France, not to make their respective countries an asylum for persons who were compelled to quit France. Several free states, and especially the general confederacy of Switzerland, had acted on that principle; not thinking it advisable to admit into their territories French subjects, whose conduct in their own country had rendered them unfit to remain in it. He could assure the hon. and learned gentleman, therefore, that if the House only satisfied themselves that they were doing justice to their own view of sound policy, it was not likely that they would expose British subjects, resident in foreign states to any inconveniences whatever.

He would proceed to show that if it was consistent with a general system of wise precaution to adopt a measure of this description in 1802 and in 1814, it was much more so in the present instance. In 1814 it was thought that the peace of Europe was secured on a firm basis, and the armies of the various allied powers returned, and were returning to their respective territories. But at the present time it was deemed necessary to keep up a very large allied force in France to secure the stability of public affairs, and to prevent any occurrence calculated to shake that system on which the peace of the world depended. Could any one therefore doubt, that if it was wise and rational to adopt precautionary measures in 1814, when so little apprehension was entertained of any sudden convulsion, it was much more wise and much more rational to adopt such measures when it was deemed expedient to leave 150,000 foreign troops in France? When such unexampled measures of external precaution were resorted to, the propriety of adopting moderated measures of internal precaution, in his opinion, appeared sufficiently obvious. He agreed with the hon. and learned gentleman in lamenting that the state of Europe was such as to require these precautions; but he considered it fortunate that the British constitution, like other free constitutions, when called upon by necessity, possessed as much power as a despotic government to adopt for a time provisions of security, without injuring the liberty which was essential to its character. His majesty's government would act with great presumption, if they thought the danger so far gone by as to render any vigilance unnecessary. At the same time, he expressed his confidence that the mere passing of the law would afford a great protection to the country from the dangers against which it was directed, without much call for its operation. But, if parliament were to refuse it, this country would soon be deluged with the worst and most dangerous characters in Europe, against whom nothing could effectually protect it but a renewal of the measure in an aggravated form, and an execution of it in the most extensive and rigorous manner. The bill which the House was now called upon to read a second time, he considered to be framed in the true spirit of prevention. It would be a mild shield against a danger which had not altogether ceased, although the hon. and learned gentleman seemed to think that it was utterly extinguished [Hear, hear!].

Mr. *Horner* observed, that the noble lord had set out with dwelling emphatically on the circumstances in which the measure of 1793 had originated—differing altogether as those circumstances did from the circumstances of the present time. But the noble lord had erroneously stated the arguments of those who, in 1793, opposed the measure. No man had ever denied that an actual case of danger to the internal tranquillity of the realm would be a sufficient warranty for the enactment of such a measure. Mr. Fox had made this statement most distinctly, and had founded his opposition to the bill on the ground that no danger existed. But he would pass this by, and ask the noble lord if there was, at the present moment, such danger as that which was assumed to exist in 1793 by the friends of the bill of that day? Would the noble lord say that the same danger now existed which was assumed in 1793 by the friends of the bill? The noble lord said no such thing. He could not say so, and it would be for the House to judge how far the existence of any danger was made out, on which the present bill should rest. The noble lord had said, that gentlemen on his (Mr. Horner's) side of the House, were insensible to the dangers of the country, in their opposition to this bill. This he denied. They considered that for any misconduct of aliens in this country, the operation of the common law would be a sufficient remedy. It was so considered by our ancestors, who, until 1793, never sought any other protection against the conduct of aliens but the common law. But would it be argued that before that period the country was in no danger from the practices of aliens? He could state several periods of our history when real danger existed from aliens, and yet no such power as that conferred by an alien act was thought necessary against it. In remote periods, when this country was disturbed by contests for the Crown, and when the influence of aliens was known to be exerted against the government, this extraordinary power was not resorted to. The common law was then thought sufficient. In times when religious differences excited disturbances, and when foreigners were known to be hostile to the views of government, when so many alarms of danger were spread from the interference of the pope and the jesuits, it was not thought necessary to vest such a power in the Crown. The common law was then deemed sufficient. But to come to more modern times. During the whole period from the revolution, down to the reign of his present majesty, would it be said that this country was in no danger from aliens? There was, during the whole of that time a pretender to the throne, and one in whose favour it was known some foreign nations were prejudiced, and to support whom foreign factions were formed in this country; yet during all that time, and amidst all those dangers, an alien act was not thought necessary. No, the common law was resorted to, as a sufficient remedy against the efforts of aliens in those times to disturb the public tranquillity. This then, he conceived, was an answer to the noble lord's charge of insensibility to the danger of the country. The opposition of gentlemen on his (Mr. Horner's) side, did not proceed from insensibility, but from a wise sensibility of the danger to be dreaded from aliens on the one hand, and from the extraordinary and arbitrary power of the Crown on the other. But the noble lord had taken an extended view of the subject, and in his mind the arguments which the noble lord had used were more against than in favour of the bill. The noble lord had taken a very extended, and indeed a very surprising view of the necessity of the measure. One different altogether from that which had been taken by Mr. Pitt. Mr. Pitt's grounds were narrow, but they were defined and intelligible. He had introduced the bill as a war measure, But the noble lord had made his a peace alien bill. And for what? To protect the essential interests of British policy against the machinations of foreigners. But what were those essential objects of British policy? Did they consist in supporting the policy of the assembled monarchs at Vienna, or in affording secure and uncontrolled sway to legitimate sovereigns, or rather to sovereigns newly created? Was it one essential object of British policy, that a certain number of persons who had composed the constituent assembly, who had so much enthusiasm as to think they could reform the constitution of their country, should not have power to reside in any other kingdom, than Russia, Prussia, or Austria? These might be considered essential objects of British policy by the noble lord, but would the House sanction or approve them? Would they, by passing this bill, give to the Crown the power of banishing from our shores, the foreign merchant, mechanic, or artist, whose exertions and industry contribute so much to our commercial wealth and national splendour? Would it invest the noble lord with a power, which he might, in order to protect the policy of Russia, Austria, France, or Spain, exert in sending such persons to the wilds of Siberia, or the dungeons of Ceuta [Hear, hear!]?—He trusted, that before they gave such a power, they would seriously consider the grounds on which it had been conferred in 1793. In the act which was then passed, what was the cause stated? Was it the undefined term; " to protect the essential objects of British policy?" No, but to guard against internal danger, not from some supposed extreme cause, but from danger—actually existing danger [Hear!].

Here the hon. and learned member read the preamble to the alien bill of 1793, which stated, that whereas an unusual number of persons, not natural-born subjects of his majesty, resided in the kingdom; and whereas danger may arise, &c. &c. [Hear, hear! from lord Castlereagh] The noble lord may cheer (continued Mr. Horner), but would he contend that any danger to this country was to be dreaded from the foreigners who were now in it?—He (Mr. H.) did not call on the noble lord to show that danger might not exist; but if it did, it might be to the Bourbons, not to this country. The hon. and learned gentleman then adverting to the statement of the solicitor-general, that the Crown possessed the power of sending aliens out of the country, contended that such an opinion was erroneous, and observed that the loose opinion of Blackstone on the subject was no authority, unsupported as it was by any express act or by precedent. He observed, that if such a prerogative of the Crown was to be proved, it should be proved positively and not negatively. In 1794, when such great research was used in order to prove that this prerogative was vested in the Crown, the only instance of its having ever been exercised was found to have occurred in the reign of Henry the Fourth. It had been said, that though the king had not the power to deport an alien he had a right to order him out of the country by proclamation, and the person refusing to obey such proclamation was liable to punishment. But what was the punishment prescribed in this case? A month's imprisonment, and to be sent out of the country. Undoubtedly obedience should be paid to the lawful proclamation of the king, but in this case the legality of such proclamation might be objected to, and it would not be proved by the punishment of the offender against the proclamation itself. The opinion of sir Edward Northey in support of this right, he considered in the same light as that of judge Blackstone; it was not supported by authority. The hon. and learned gentleman then contrasted the object of the war alien bill with that of the one now proposed. The former, he observed, was to preserve the external tranquillity of the country, but the latter was intended to support foreign tyranny. [Hear, hear!]. It was in this view the noble lord viewed it, and it was for this purpose he wished the House to sanction it. It was an absurd argument in its favour, to say that it was not likely to be abused, because, unless a strong case of its necessity were made, such argument would go for nothing. But he contended it might be abused, and he would suppose three cases where such abuse might happen. Suppose, in the first place, envoys were to arrive from Holland to dun the Russian ambassador for the debt due from his government; that ambassador might find it convenient to apply to the noble lord to prevent this demand, and the noble lord might discover that it was an essential principle of British policy to send the unlucky Dutchmen out of the country by means of this alien bill. Suppose, in the second place, a body of merchants, the subjects of Ferdinand the beloved, resident in England, should be desirous of proceeding upon business to South America; the Spanish ambassador might give a hint that they were friendly to the revolutionary party in New Spain, and the noble lord might politely take the hint, and send these unoffending traders to Spain, to be dealt with according to the tender mercy of the monarch of that country. Such an occurrence was not impossible, though he did not mean to assert that it would occur, or that there would be any foundation for his third case, which supposed that some of the persecuted Protestants of Nismes should seek refuge in Great Britain, with a clergyman, who had formerly belonged to the constituent body, at their head: the Catholic French ambassador, perhaps of the Angouleme party, might apply to have them instantly sent abroad again, and the noble lord would have no power of refusal, since, by the passing of this bill, he would deprive himself of the answer, that the laws of the country gave him no such authority; in such a case even the noble lord must lament that he had been armed with a measure which precluded him from giving protection, which his own heart would yearn to afford. He (Mr. Horner) said, he would not enter into the question, either economically or commercially, but he protested in the strongest terms against inflicting upon the national character of the empire a lasting reproach by the passing of this peace alien bill. He cared not for the opinions of foreign courts, who might with reason rejoice at the measure, since it was for their benefit it was passed: in truth, the noble lord was lending himself as an instrument to foreign powers in the persecution of their subjects, and in hunting them from one end of Europe to the other. It was not difficult to understand why ministers of a certain character could not vary their measures with the varying circumstances of the times. In 1793, the House gave extraordinary powers to an extraordinary man, and because the present government found the alien bill upon the statute-book, and learnt that it was about to expire, its revival was immediately determined upon:

ministers were determined to follow the steps of Mr. Pitt, and the discontinuance of the act would be an innovation upon their system. What he required was, that the House should no longer allow this innovation upon the constitution; for until the French revolution no such law was ever passed: he trusted that the good sense of parliament would prevail over this attempt to substitute an arbitrary statute for the common law of the land.

Lord *Castlereagh*, in explanation, said that the object of the bill was not to carry into effect the policy of foreign powers, but to protect British policy from being disturbed by the misconduct of strangers. The hon. and learned member had chosen to mistake his position, for the convenience of argument.

Mr. *Horner* denied that he had ever mistated any argument for the sake of convenience. He had listened most attentively to the noble lord, and he reasserted that according to his best judgment he had not misstated his position.

Lord *Castlereagh* persisted, that his argument in favour of the bill was founded upon the belief that there did exist in the country a number of persons who harboured designs to convulse the peace of Europe.

Mr. *Horner* said, that he and the noble lord were at issue, and the House must decide.

The *Attorney-General* did not intend to trespass long on the time of the House, but he felt it incumbent on him to offer a few observations on what had occurred in the course of this discussion. It appeared to him that the debate had been attended by some extraordinary singularities. The gentlemen opposite had supposed certain objections to the measure under consideration, and when those who supported the bill had answered those objections, their answers had been taken up by their opponents: and what was thus advanced had been treated as their original argument. The hon. and learned gentleman had argued on the law and on the constitution as affected by this question, at considerable length, and had seemed to challenge him to an inquiry into the law of the case. On this question he was not at all disinclined to meet the hon. and learned gentleman, but he could assure the House he hoped to be able to dispose of it in a few words. He had no difficulty in stating his opinion on it, but every one who knew him, knew he would always rather hear a legal opinion from his hon. and learned friend near him, stated in that clear and luminous manner which was peculiarly his own, than volunteer one himself. He did not think the argument of his hon. and learned friend (the solicitor-general) had been fairly dealt with. It had been said that he founded it solely on the authority of Blackstone's Commentaries, and the opinion of sir Edward Northey, when he was attorney-general. He thought his hon. and learned friend had treated the subject in a different manner. He had distinctly understood his argument to be this, that the king by his prerogative, independent of any other authority, had the power of sending an alien out of the country, in cases when he could not so dispose of a native subject. This his hon. and learned friend had stated to be his opinion, and in this he concurred; but he could not expect his opinion to carry any weight with it, and merely offered it as that of a very humble individual. He perfectly agreed with his hon. and learned friend, that all subjects of the realm had rights with respect to their native sovereign, which aliens could not claim. Those who were native subjects could not be sent out of the realm but by the ordinary course of law on some act of delinquency being proved to have been committed by them. It was not so with him who was born out of the realm—who was born out of allegiance to the sovereign;—he could not claim those rights which he had stated to belong to the subject born in this country—him the sovereign had a right to remove if he saw a necessity for doing so, though no act of delinquency had been proved to have been committed by the party. This opinion he and his hon. and learned friend considered to be supported by those very provisions made for the safe conduct of aliens, and for favouring them in various instances, on which the gentlemen opposite seemed most disposed to rely. So far from seeing in these regulations any thing to make against their argument, they on the contrary contended, that it was confirmed and fortified by the regulations alluded to. They did not rest their opinion solely on the authority of Blackstone's Commentaries; but if their reasoning was supported by sir William Blackstone, surely this was no mean evidence in favour of its correctness. He admitted they thought this authority of some importance; and when that of sir Edward Northey were added (he did not speak of the last learned writer on the law as becoming an important authority, from the circumstance of his having held the office of attorney-general), he was of opinion they might rely on that which was sanctioned by two such distinguished characters with some confidence. But his hon. and learned friend opposite, who denied that the sovereign had that authority with respect to aliens, which he and his hon. and learned friend (the solicitor-general) thought he had, had said, the only question now before the House was, whether there should be an alien bill for a state of peace as well as for a state of war? If this was the question, he thought it could at once be decided on the best authority, since parliament had found it necessary to arm the executive government with the means of easily using those powers which the Crown possessed, but which had been infirm, and with difficulty made available before. But it was said this power might be abused, and that any persons who had become obnoxious to foreign governments might under its provisions, be sent out of the country at twenty-four hours notice. It was not, however, pretended that in any instance this had been done under the alien acts up to the present time. In no case had any alien been sent out of the country in consequence of an application or at the instance of any foreign government. What grounds then, were there for supposing that a course might hereafter be adopted, which had never yet been pursued? But it was said, that such a law ought not to be passed for any purpose but for that of securing the tranquillity of this country. He (the attorney-general) and all the supporters of the bill, said the same thing. He had been astonished at the misrepresentation of the argument of his noble friend (lord Castlereagh) which had occurred. He had understood him most distinctly to say, the measure could be adopted on no ground but this, that it was essential to secure the tranquillity of England. He had particularly attended to his words, and knew that he had said, that on coming out of a war like that which we had been fated to wage for nearly a quarter of a century, that man must indeed be sanguine who could persuade himself that the principles against which we had strove were wholly extirminated throughout Europe. His noble friend had argued, that if persons came from the continent to this country, to seek the means of disturbing its repose, it was desirable that the government should be armed with those means which were necessary to frustrate such a design. That such means ought to be entrusted to the government, he did not think any one could intend seriously to deny. But then the hon. and learned gentleman went to the case of a person who had dreamed of mending the constitution, and who might now be suffering for his dream. He had argued on the supposed hardships such a person might be subjected to under this act. Having become obnoxious to his own government, and having in consequence sought a refuge here, it was argued that this bill would be made use of, to give ministers the means of lending themselves to the vengeance of that power from which the fugitive had been compelled to fly. When this was stated, it ought to be remembered that his noble friend had disclaimed all idea of lending the alien bill, to forward the views of any foreign government whatever. The hon. and learned gentleman had then endeavoured to carry the House to the contemplation of various affecting scenes, which he had drawn upon his imagination to supply. He had supposed the case of a Protestant minister, who flying with his children and his little property to this country, would be denied the asylum he had hoped to find in it from the operation of the alien bill. He had then supposed two Dutch gentlemen might come over to England, and be suspected of having been sent to dun the Russian ambassador for money owed by Russia to Holland. He then supposed the Russian minister to go to the office of the noble lord, and there a dialogue was to pass between them, in which the Russian minister was to state, that it would be very inconvenient for him to be dunned for the public debt of his country, and on this the noble lord was to say—"All we can do is to send them out of the country, under the alien act. I will write a letter to the secretary of state for the home department, who will send them out of the realm as suspected persons, and the inconvenience apprehended may thus be avoided."—Now, he wished the House to consider on what ground these arguments stood. No man had suggested that any thing of the kind had ever occurred, and yet on the strength of these extreme cases, which the hon. and learned gentleman had imagined, the House was called upon to refuse to arm the government with those powers which might be of the greatest importance to the preservation of public tranquillity. The means required, he contended, were necessary to enable ministers to protect the country from the designs of those who might come here for the purpose of disturbing the repose of England. But, it was asked, was there no law with respect to aliens, by which they could be punished for any crime they could commit? Unquestionably there were laws under which aliens could be brought to justice, but who, after the last twenty-five years experience, would deny that persons might come here to form plans for disturbing the country by external means, who might gain opportunities of accomplishing their object if the government had not the means of promptly removing them. It should be borne in mind how much better it would be to nip such designs in the bud, than to suffer them to approach maturity: it should be remembered how difficult it might be to defeat the deep-laid schemes of such conspirators, if time were allowed for their perfect formation. He conjured the House not to lose sight of these considerations, and trusted they would not let the arguments which they had heard from the opposite side of the House, induce them to deny the government those powers to meet present dangers growing out of the remnant of those which had so long hung over the country: he called upon them not to refuse their assent to a measure so necessary to the protection of the dearest and best interests of England, and which had not yet been, nor was likely hereafter to be made in any case subservient to the views or the resentments of any foreign government.

Sir *James Mackintosh* rose to state, that notwithstanding all he had heard from his hon. and learned friend, he still remained unconvinced that the alien bill was either agreeable to the genius of our law, or justified as a novelty by any danger such as ought to be the foundation of such a measure. He still conceived it to be the most important deviation from constitutional policy and ancient usage, that had ever been proposed to parliament on such slight or suspicious grounds. In the discussion of last session, he had called for proofs of the existence of the prerogative said to be in the Crown, of sending out of the realm alien friends in time of peace. In calling for proofs of a prerogative, he must be understood to require evidence of a long, a vowed, and uncontested exercise of it, sanctioned by parliament, or at least recognized by the courts of Westminster-hall. Till an answer was made to such a demand, he had suspended his opinion. He only ventured then to doubt the existence of such a right. But from the proofs which had not been produced and the arguments which had been offered after a twelvemonth's leisure for research, he now thought himself justified in declaring, that such a prerogative was not warranted by law. All had now been said for it that could be said. And to what did it amount? To three assertions, or as they were called authorities:—to one gross fallacy—and to some general speculations, too loose to deserve the name of argument. Three opinions were alleged in favour of this prerogative—that of sir Edward Northey—that of sir William Blackstone—and that of his learned friends opposite. The opinion of sir Edward Northey, privately given to the government when he was attorney-general in 1705, respecting certain Catholic clergymen in the province of Maryland was, that "if they be aliens, not made denizens nor naturalized, her majesty may by law compell them to depart from Maryland:"* and this opinion had been relied on as a proof that this was by law a prerogative of the Crown. No citation of supposed authority ever more betrayed the poverty of a case. It was the opinion of a private individual—the advice of a counsel to his client—for these, notwithstanding the imposing sound of government and attorney-general, were the terms probably applicable to sir Edward Northey's assertions. The judgment of a court—even a single judgment—was in itself some evidence of law. But what was the opinion of a lawyer without the proofs on which it was founded? Sir Edward Northey quoted no precedents. He produced no arguments. What was his unsupported opinion in any case? What was it more particularly in a case which must rest either on ancient usage, or on constitutional principle, or on the union of both. We had the same books and records to consult, and the same faculty of reasoning on the constitution with sir Edward Northey. His opinion was of no more value than that of any man who had taken a part in this discussion. It was no more than that of the learned gentleman, respectable enough to demand consideration, but perfectly open to discussion, and not weighing a feather in the decision. It was quoted needlessly by his learned friends, to support a similar opinion of their own. This proof of assertion by assertion, this attempt to support one naked opinion by another naked opinion, was a mere multiplication of nothing by nothing, of which the result must also be nothing. Indeed, the inference was perhaps more than merely negative. This prerogative claim, as it now appeared, had been privately maintained in 1705—without precedent or reason. It had been asserted, though faintly, in 1793—without precedent or reason. It had now again been asserted, with more confidence but with like absence of precedent or reason. It had been three times in a century alleged, and three times left without support from principle or usage. The natural presumption seemed to be that what was not done could not be done, and that no foundation could be discovered for this claim either in legal authority or constitutional reasoning.

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* Chalmers's Opinions of Lawyers, I. 4.

As to the authority of sir William Blackstone, he certainly was not one of those who in general undervalued it. His Commentaries were undoubtedly not only distinguished by their singular elegance, but by an exactness much greater than it was reasonable to expect in so brief an account of a comprehensive and intricate science. Too much importance had been ascribed to small and inevitable inaccuracies by professed lawyers. But the very nature of the work made it absurd to quote it as an authority on points of rare occurrence, which must turn on laborious investigations of ancient usage, on which he throws out a short and hasty observation, and, contrary to his usual custom, supports it by the citation of no authority. He had, indeed, a few sentences before, made rather an unfortunate citation from Puffendorff, which was relied on last year. He had quoted the assertion of Puffendorff, that all states must have a power to regulate the admission of strangers (and he might have added the return or expulsion of natives), apparently to prove that the power of admitting foreigners was, by the constitution of this country, vested in the Crown. Certainly, such rights exist in all states; but by whom to be exercised in each commonwealth was a question to be answered by the laws of each country. And now the wisdom of Blackstone's citation, and the supposition that he had fortified his own authority on this question by adding to it that of Puffendorff, seemed to be abandoned. What was worse, Blackstone had destroyed his own authority here, by laying down a position which no man would be found bold enough to maintain. So slight and hasty was his attention to this subject, that he lays it down, that "aliens are liable to be sent home whenever he sees occasion." This assertion is evidently false. Indeed, short as the passage is, it contains no less than two gross errors. The first that "the king may send the alien home," — a power which has never been claimed, and which is indeed utterly untenable. The prerogative must have spent its force as soon as it expels the alien from the British territory.—The second mistake was, that this power might be exercised without limitation over all aliens; which was clearly inconsistent with the letter of Magna Charta, and Blackstone's own interpretation of it. The only object of these criticisms was, to show that Blackstone wrote this passage negligently, and that it does not possess the weight which might justly be ascribed to his advised opinion.

In this failure of authority the next resource of the learned advocates of this bill was argument. His learned friend who spoke last had gravely told the House, that the case of aliens differed from that of natural born subjects in this, that the latter had rights which entitled them in defiance of the Crown to continue within the realm, to which the former could make no pretence. But whence did these rights flow? From the law and from the law alone. That natural born subjects had by law such rights against the Crown, that they could be banished by no human power unless they were convicted of a crime, was most happily true. But the very question was, whether alien friends enjoyed by law the same security. The learned gentleman takes it for granted that they do not. He assumes the only point in dispute. There never was a more egregious instance of begging the question. The alien, it is said, has not the same right against the Crown with the native subject; therefore the Crown has that absolute power over aliens which the law only exercises over native subjects. This is merely to say—the Crown may send aliens out of the country because it may.

But it was said, that as such a power must exist somewhere in every state, it can in our constitution be vested only in the Crown, because the Crown alone can conveniently exercise it. This again was a mere fallacy. Undoubtedly a power of dealing with aliens according to the demands of the public safety, as well as of doing every other act which an independent commonwealth may lawfully do, is vested in the supreme authority of this realm, which consists of King, Lords and Commons. They may vest in the Crown alone a power to banish aliens, whenever so dangerous a power is absolutely necessary. A power scarcely claimed, not to say exerted, for centuries—a power granted in 1793 professedly on the ground of a danger without parrallel in our history, has no need of being permanently placed where its exertion would be always easy and convenient When the times require it, parliament may vest in the Crown the dictatorship over aliens. And this is the universal answer of this constitution to all such speculative arguments on behalf of inherent prerogatives in the Crown. Parliament can always strengthen what may be weak, or supply what may be deficient in the legal rights of the monarch. The king of England wants many powers which are necessary to the general ends of government. The want is not a fault, but an excellency of the constitution. His power is defective, that its exertion may wholly depend on parliament. It is lamed for the express purpose of disabling it to move by itself. Every mode of reasoning of a different sort is, however, unconsciously founded on principles of absolute monarchy. Whether the question, therefore, was considered on grounds of precedent or on those of reason, he saw no warrant of law for this supposed prerogative. It would, indeed, be no light proof of usage, no loose analogies, no remote inferences, no general speculations, however plausible of political expediency, which could establish the existence of such a power. No acts of violence against foreigners before the constitution was settled, or in times when its principles were suspended, could be sufficient. Still less could any constitutional reasoner consider as precedents any examples of such acts of power unknown at the time and now, for the first time, dragged out of the darkness of official repositories where they had been mouldering for centuries. They must be acts done in the light of day, in the face of the public, sanctioned by parliament, or at least, recognised as legal by courts of law. The most daring prerogative-lawyers of former times had submitted to all these conditions in their boldest attempts to enlarge the regal power. Noy, one of the most learned lawyers of his learned age, a man of very different authority from sir Edward Northey, did not presume to frame the writs for levying ship-money on his own opinion, however weighty, if he had been honest. He came armed with precedents, found indeed to be impertinent, but numerous and specious. He came fortified by every abstract argument which could be derived from the necessity of guarding the seas and shores of the kingdom against urgent danger from pirates and invaders. A decision of a very great majority of the twelve judges of England at length sanctioned his opinion. What was the result? In spite of the number of plausible examples, in spite of specious reasonings, in spite even of the judgment of the most venerable body in the law—Both Houses of Parliament unanimously condemned the grievance "aggravated," as a great man said, "not supported by the judgment." The judges were impeached, and compelled to fly from their country, or dragged as prisoners from the bench where they administered justice: and finally these judgments and proceedings were solemnly and for ever condemned by act of parliament.

If such was the fate of an exercise of prerogative—justified by so many seeming examples and high authorities, what could be thought of a case like the present? In three and twenty years discussion, one example of the exertion of such a power had been found. There was one such case in the reign of Henry 4th balanced by another of an opposite tendency, in the reign of the very same prince. Only one rusty precedent could be found, after ransacking the whole armoury of prerogative. For four hundred years it seemed to be admitted that there was no example, or at least none such as could be quoted as authority of the exercise of this pretended prerogative. But what sort of prerogative is that which rests upon a single instance of exercise, and which has been disused for four centuries? If this or much more were sufficient, no part of English liberty could be secure. There was no violation of right, of which more than one example might not be found scattered over the records of so many ages in times of confusion or of violence, This absence of precedent was at least decisive proof of the established policy of our ancestors. The famous clause of Magna Charta, however interpreted, the hospitality shown to the Flemish refugees from the merciless Alva, the humanity exercised even under a Popish king to the Protestants, who fled from the persecution of Louis 14th, the attempts often made and once in the very best period of our history * with success, to naturalize all foreign Protestants,—all these examples, and the whole course of our history show that it was our ancient policy to welcome and foster foreign fugitives, to endow them with the privileges of freemen of this realm — not to cast them as slaves on the pleasure of the Crown. And to do justice to the act of 1793, it did not profess permanently to abandon these ancient principles of English policy. Whether it was or was not justified by the circumstances of that period, it was not now in the least degree useful to discuss. But certainly the preamble of that statute most amply acknowledges, that the general policy is an unfettered admission of strangers, and that restraints are justifiable only in circumstances of extreme danger. It sets forth, that, "under the present circumstances much danger may arise to the public tranquillity from the resort and residence of a great and unusual number of aliens."

A law for the regulation of aliens defended on principles which require its perpetuity, on the ground of any less danger than that of 1793, and justified by any consideration but that of equal peril to the internal tranquillity of this country, was in all these respects a deviation from the policy of the act of 1793. That statute was founded on a temporary danger to the quiet of this kingdom of the utmost magnitude. Similar restrictions without an equal and similar danger must be condemned, not supported by the precedent of that statute. Those indeed who thought that act unnecessary must think so of the present bill. But those who consented to adopt such an extreme measure under the extraordinary circumstances of that time, were bound in consistency to be first convinced that there existed so great an evil before they concurred in the adoption of an equally violent remedy. The same species of danger was not now even pretended. No man now affected to dream of any machinations of foreigners against the quiet of this country. Nobody could contend that any measures of precaution were necessary against the agents of foreign governments or the emissaries of foreign factions. There never was a moment in which such apprehensions were more chimerical.

Was it, then, to provide against danger to other governments that the ancient policy of our laws was to be altered? It had been said, "that this bill would be agreeable to other governments!" The minister had notified to the House the pleasure of the continental sovereigns that we should have an alien bill. He had brought down a message from the congresses of Vienna and Paris, recommending to parliament to shut this country against all the victims of their arrangements. They had not openly stipulated for the passing of an alien law, but the House was now obviously called upon to give effects to the understanding which prevailed among all the members of these assemblies. No doubt it would always be agreeable and always convenient to governments, that refugees from their oppressions, might find no safe and honourable asylum —above all, that they might find no refuge in a free country from which they might make their complaints heard by all Europe. This was the strongest of all objections to the bill, unless we meant to render our laws the engines of every oppression that might be practised by the despotic governments of the continent. It would have been certainly very "agreeable" to Philip 2nd and to Louis 14th, that the Flemish or French Protestants had been prohibited to land on the English shore; or, what would have been the same, that they had been subjected to such an arbitrary power of expulsion, as to deter them from taking refuge in so precarious an abode.

The number of foreigners now here had been repeatedly mentioned as unusual, and in itself enough to justify precaution. These numbers were now before the

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* 7 Anne, c. 5, "Whereas the increase of people is a means of advancing the wealth and strength of a nation, and whereas many strangers of the Protestant or reformed religion out of a due consideration of the happy constitution of the government of this realm, would be induced to transport themselves and their estates into this kingdom, if they might be made partakers of the advantages and privileges which the natural born subjects thereof do enjoy, &c."

House. There were now twenty-two thousand, and it appeared that the number of aliens usually resident here was probably about eighteen thousand. These were merchants, clerks, handicraftsmen, teachers, and artists, or domestic servants, who, generally speaking, must be considered as making no part of this case. They came here to exercise industry and to seek fortune. They contributed to the national wealth or enjoyment, while they augmented their own fortune. Their number was an indication of the general confidence of ingenious and industrious men throughout Europe, in the justice of our laws and the humanity of our people. How small a proportion of the resident foreigners were affected by political circumstances, would appear from an inspection of the return. It was well known, that the far greater number of the French emigrants in this country returned to France, in consequence of the amnesty of 1802. Yet from 1801 to 1804, the whole number of aliens were not reduced by four thousand. And the influx from every part of the continent after so long and so rigorous an interruption of intercourse with England, did not increase the whole number above four thousand, from 1812 to 1814. Supposing a thousand to have returned with Louis 18th, (which would probably be an exaggeration) the new aliens would not be five thousand. And as none of the followers of Napoleon were dispersed by the first conquest of France, it is apparent that the far greater part of the new comers must have consisted of that submissive and timid body who repair hither in pursuit of subsistence or fortune. The number of aliens in this country at the present moment was not half the number of the Protestant refugees in the last country. It was not a fourth more than the probable number of those who usually reside here. There was, perhaps, no other industrious and opulent country with so small a relative number; and they were of necessity persons who must have the least will and the least power to disturb the public peace.

But he was really ashamed of labouring to lessen the number of foreigners as if it were a just object of apprehension. It was too great a compliance with the illiberal and pusillanimous policy of this bill: that number was heretofore our pride; and it was not to the honour of our times that it was now become our terror. But in order to make a right estimate of this bill, it was necessary to consider these numbers in another point of view. It was a bill to subject twenty thousand residents in Great Britain to banishment at an hour's warning, on secret information, without knowledge of their offence, without the possibility of proving the clearest innocence. It might be as great a hardship to be banished from the country of choice, as from the country of birth. It might be a most severe punishment to be banished from their sole refuge, from the seat of their fortune, or the best scene of their industry. Was it nothing to be driven from friends, perhaps from connexions, from the residence which either from interest or affection they had chosen above any other? Did not a compulsory expulsion from a country naturally affect the convenience, the feelings, and the character of the man expelled? Was not this a punishment? Might it not in many cases be a more cruel punishment than just laws inflict on criminals after a conviction of dangerous offences upon clear evidence? Would the House vest in the ministers of the Crown the powers of inflicting this punishment upon twenty thousand foreigners who had chosen to reside in England? Would they grant such power where these ministers themselves with the best intentions never could certainly know whether they did right or wrong: where they must be almost entirely at the mercy of secret informers, whose malice must be freed from the only effectual check as soon as the accused are deprived of all means of detecting and exposing false accusations? Unjust banishment might be inflicted without any previous defence against it, or any subsequent responsibility for it. For it was an insolent mockery to speak of repsonsibility where the cause of punishment was to be concealed from the accused, concealed from parliament, from the public, and if possible even from posterity. We were indeed told that where an abuse was shown parliament would compel ministers to give information. But the object of the bill was to render the exposure of abuse impracticable? It was otherwise with many dangerous delegations of discretionary power: for instance, in what was called the suspenion of the Habeas Corpus act—there the prisoners, generally Englishmen, were sooner or later restored to liberty. If the law refused them its aid, they might still complain with safety and effect; they still had a free press and a generous country. They might excite universal indignation against their oppressors. But what was the fate of the fugitive from civil or ecclesiastical tyranny, if he should be unjustly driven out under this bill? If he had found another asylum, was he likely to endanger it; would he provoke new enemies by charges of oppression against the powerful government which had just expelled him? Where, indeed, was such an asylum left? Holland and Switzerland, the Protestant principalities of Germany, formerly shared with England the honour of protecting the fugitive? Which of them would now dare to give public protection to a poor exile who entered their territories with the brand of a second banishment from England? No! they must for ever hide their wrongs, they must purchase a trembling and precarious protection by silence; they must not betray their hiding place by complaining aloud. If they are suffered to return to their native country, would they send complaints here which would subject them to new proscription from those whom this bill is introduced to please? Would they complain of the government of England in order to be placed under the government of Siberia? The means of proving abuse, in general the means of making out a probable case of abuse, are taken away by the bill; and we were called upon to prove abuses, or to consent to the bill. The grand mischief of this bill was, that it rendered the proof of abuse impossible. The law itself was the abuse. Every act done under it was wrapped up in eternal darkness that it might be secure of eternal impunity.

Surely no man would venture to say, that under such a law there was not a great probability of injustice. If there were not, why did we boast of all the protecting forms of our criminal law? Why were accusations precise, witnesses examined in presence of the accused, or by him, juries appointed to be independent and impartial, and judges and juries subjected to public opinion? All these were useless and cumbersome contrivances, if there were not a great chance of injustice in a proceeding founded in secret charges from unknown informers, followed by a clandestine banishment, which imposed silence on the exile almost as effectually as death itself. Were not the publicity of proceedings and the facility of defence, as necessary to guard the judge and minister against falsehood, as to secure the culprit from oppression?

It was vain to say that there had at last been introduced into the alien act of 1813 a power of appeal to the privy council, which would be preserved in the present. He had some knowledge of the clause which gave that appeal, and had at first sanguine hopes that it might have given some security. But he was undeceived; one such appeal had occurred. The privy council had decided that the alien was neither entitled to know the charge against him, nor to be defended by counsel. That the privy council had properly interpreted the clause, he did not presume to doubt; but their decision rendered the appeal illusory. Nothing could be more ridiculous, if it were not so deplorable, than the spectacle of a foreigner defending himself against a charge which was kept secret from him without even power to show general probability of innocence by the testimony of witnesses or by the arguments of counsel. No such principle was ever acted on in the star chamber, where the charge was known and the proceedings generally public. There was no parallel to it but in the tribunal of the holy inquisition—and not even there, as it had been modified on the late re-establishment in any Catholic state but Spain.

But it was said, this is a political and not a judicial proceeding. Of what importance was the epithet by which it is described? It is a proceeding which may affect the character, the property, the safety, in some cases perhaps the life, of twenty thousand men. There was no magic in the word "political." It is as important to these men to have securities against wrong in political as in the judicial proceedings; but it was said that such formalities would altogether enervate the measure. To this it could only be answered, that such a defence is condemnation. There could not be a more sure criterion of a tyrannical law than that its whole efficacy depended on the destruction of all the safeguards of innocent men against punishment.

At last it might be defended on the ground of confidence in personal character, to which he would very shortly answer, that he dreaded much more the imposture to which ministers were exposed by this system of darkness, than acts of oppression intentional on their part; and that if he trusted the humanity of ministers (which from personal observation he certainly was inclined to do), there was no reason why they should be trusted by the hundreds in every part of Europe, who would have sought refuge here, if their residence had been assured by law, instead of depending on the equity and mercy of ministers. The evil of alien acts consisted fully as much in their deterring many meritorious refugees, as in the expulsion of many without cause. Perhaps virtuous men were now working in chains on the walls of Ceuta, or in the harbour of Manilla, who would have sought shelter under the laws of England, but who dreaded (however unfortunately) the protection of the allies of Ferdinand 7th. To be here in such a state was to live by will and not by law. This was the very definition of slavery. Aliens under such a regulation had no assured abode. They had only a respite from banishment during the pleasure of a minister. It was a bill to reduce twenty thousand men to slavery—not by the privation of political privileges—luxuries which belong only to few nations—but by being bereft of the right not to be condemned without knowledge of their crime, and punished without the possibility of manifesting innocence—which even the worst governments profess to respect as the common rights of mankind. It was a bill to repeal Magna Charta, to close the city of refuge which had opened its gates to the fugitive and the supplicant during the tempests and convulsions of six centuries. If it passed into a law, the soil of England, instead of the glorious privilege of enfranchising the slave, would henceforward have the wretched power to enslave the free.

Mr. *Jones* opposed the bill, as being most unconstitutional in its principle, and highly oppressive in its operation.

The House divided:

For the second reading	141
Against it	47
Majority	94

List of the Minority.

Abercrombie, hon. J.
Althorp, viscount
Barham, J. F.
Brougham, Henry
Burdett, sir Francis
Campbell, hon. J.
Cavendish, lord G.
Caulfield, hon. H.
Carew, R. S.
Chaloner, Robert
Douglas, hon. F. S.
Duncannon, visc.
Dundas, hon. L.
Dundas, Charles
Fergusson, sir R. C.
Grant, J. P.
Halsey, Jos.
Hanbury, Wm.
Heron, sir Robt.
Horner, Francis
Jervoise, G. P.
Jones, John
Lamb, hon. W.
Lloyd, J. M.
Leader, W.
Mackintosh, sir J.
Martin, Henry
Milton, viscount
Monck, sir C.
Morland, S. B.
North, Dudley
Parnell, sir Henry
Piggott, sir Arthur
Ponsonby, rt. hon. G.
Prittie, hon. F. A.
Rancliffe, lord
Ridley, sir M. W.
Romilly, sir Sam.
Russell, R. G.
Sefton, earl of
Sharp, R.
Smith, W.
Smyth, J. H.
Tavistock, marq. of
Tierney, rt. hon. G.
Waldegrave, hon. cap.
Wharton, John

TELLERS.

Hamilton, lord A.
Macdonald, James

HOUSE OF LORDS.

Monday, May 13.

IRISH TITHES.] The Earl of *Kingston* moved the second reading of the Irish Tithes bill. The object of the bill was, he said, to remedy an inconvenience which was complained of in Ireland, and which arose from the sentences of the ecclesiastical courts against persons who, in numbers of four or five, gave notice on the same day to the clergyman to take his tithes. This had been considered as a fraud on the clergyman, by rendering it impossible for him to take up his tithes at all, and an act had been passed making it a misdemeanor for four or five persons to give such a notice with such intention. But it might and did often happen in Ireland, that four or five persons gave notice to the clergyman to take his tithes on the same day, without any intention to defraud the clergyman, and without any thing like a conspiracy; and yet the Irish ecclesiastical courts punished this as a misdemeanor under the act; and the object of this bill was to explain and amend that act.

The *Lord Chancellor* expressed his surprise that the ecclesiastical courts in Ireland should suppose themselves qualified to try for a misdemeanor. If they had such a power, all he could say was, that the law in Ireland was very different from the law in England. It was, in his opinion, also a mistake that the notice by four or five persons on the same day could be taken as a presumption of any vexatious intention. The act would not admit of such a construction. If the principle of the present bill was right, the enactments were insufficient to carry it into execution.

The Marquis of *Lansdown* said, he understood from others, as well as from his noble friend, that such an opinion did prevail in the ecclesiastical courts of Ireland.

The farmers were consequently deterred from setting out their corn at the time when the weather was most favourable. The declaration, however, of the noble and learned lord, that such was not the law, would, he hoped, answer the purpose intended to be accomplished by the bill.

The *Lord Chancellor* observed, that the present bill was by no means calculated to set the matter right. He had no hesitation in stating, that for four or five persons to give notice on the same day, without the connection of any circumstances that could prove it to have originated in an unlawful conspiracy, was not a misdemeanor. If such decisions had been made as were alluded to, he thought the best course would be to move for the removal of the persons who had so decided. If he was asked, whether such decisions were or were not legal, he should not hesitate one moment in stating that they were not.

Lord *Holland* declared his respect for the authority of the noble and learned lord, but if such enormous abuses existed in Ireland, he thought the House should not be satisfied without instituting an inquiry into the subject. On a former night, when it was stated that many grievances existed in that country, the answer was, "bring forward your cases, and we will apply the remedy." If some step was not taken with regard to the present subject, that pledge would not be redeemed. The most regular and parliamentary mode of proceeding would be to move for information. He could not speak from his own experience, having no connexion with Ireland, but he always understood that all questions relative to tithes were prosecuted in the ecclesiastical courts. This was a great addition to the hardship of tithes. They should examine the nature of these courts, their mode of proceeding, and the principles on which they decided.

The Archbishop of *Cashel* said, he was sure that no instance had occurred in which any decision was given by the ecclesiastical courts of the nature alluded to.

Lord *Redesdale* expressed his conviction that the courts in Ireland were not so ignorant as to come to such decisions. He remembered that, when he was in Ireland he was applied to by a clergyman, who never entertained the idea of applying to the ecclesiastical courts, complaining that notice had been sent to him on the same day by four hundred persons. The clergy were put to great inconvenience in that country by the injudicious union of several parishes, and it would be well if something could be done to put an end to the litigation between the clergy and landholders. The present bill, however, could produce no such effect.

The Marquis of *Buckingham* said, that every word he had heard convinced him more and more of the necessity of the motion he had submitted a short time ago, for an inquiry into the state of Ireland. The best course, on the present occasion, he thought would be, for the noble lord to withdraw his bill, and move for a committee to inquire into the state and practice of the ecclesiastical courts, with reference to that subject.

The Marquis of *Downshire* remarked, that both the clergy and the farmer experienced great difficulty from the practice of the ecclesiastical courts. He also complained of the union of parishes. He knew one clergyman himself who had six parishes to attend to, the duties of which it was impossible he could perform. He should gladly give his support to any measure, the object of which was to prevent the litigation between the clergy and landholders.

The Earl of *Kingston* expressed his satisfaction at what had fallen from the noble and learned lord, and said, that, in the course of the next session, he would move for a committee. He then, with the leave of the House, withdrew the bill.

The Marquis of *Buckingham* wished to know whether his majesty's ministers would be favourable to the motion for a committee.

Lord *Sidmouth* said, that if such a motion was made, and grounds were stated in support of it sufficient to satisfy them of its necessity, ministers would not object.

UNCONSTITUTIONAL INTERFERENCE OF THE MILITARY.] The Earl of *Essex* said, it was with great pain he felt it necessary again to trouble the House with regard to the improper Interference of the Military. A circumstance, however, had again happened to him, which rendered it a public duty on his part to bring the subject before their lordships. This day, on his attempting to enter Pall-Mall, he was stopped by the soldiery, who insisted that he should not go along that street; and on his calling for a constable, he was answered by one of the military, "We have nothing to do with constables here." He then inquired for the officer of the guard, and was told he was at Carlton House. He did not attempt after this to proceed up Pall-Mall, but went along the Haymarket and other streets. He was not at the time aware of any circumstance that could in the slightest degree call for any military parade; he had since learned that the lord mayor and corporation of London had been up with an address; but was that an occasion that could call for a display of troops, the blocking up of streets, and the interruption of peaceable citizens on the king's highway? This had extremely surprised him, after the pledge which had been given by the noble secretary of state on a former occasion. He felt it to be impossible for him to pass over this second instance of military interference without subordination to the civil power; and would therefore move for a copy of the order under which the military were authorized to act this day in Pall-Mall and its vicinity.

Lord *Sidmouth* strongly disapproved, under the circumstances, of the noble earl's motion. He had, as stated by him on a former night, taken steps in order to provide an adequate number of peace officers, whenever the military were called out. He had stated, that the military were not called out under the order of the secretary of state. But he felt that whenever the military were called out for the purpose of individual accommodation, or public convenience, that an adequate number of peace officers should be in attendance. Under that impression, positive directions had been issued from his office to the magistrates of Westminster, to have peace officers attending upon all such occasions. On the next occasion these orders were repeated. There did appear to be a want of that species of communication on occasions of this sort, which seemed to be necessary for the information of the civil power. He was of opinion, that the military ought never to be called out without the civil power being duly apprized of it. He thought there was a defect in the existing mode of communication, although the military were not ordered through the authority of the secretary of state. He repeated his opinion that the military ought not to be called out without a communication to the secretary of state. In the present instance, no such communication had been made. If it were so, the secretary of state would be responsible, if care was not taken to provide an adequate supply of peace-officers. He trusted he had said enough to satisfy their lordships of the propriety of such an arrangement, and, with a reference to which, of the impropriety of acquiescing in the motion. He deprecated any thing like an appearance of injustice to those who on all occasions, except those lately adverted to in that House, had conducted themselves in a way that must attach the good-will and respect of all classes of his majesty's subjects.

The Earl of *Essex* meant no disrespect to the description of persons in question. His wish was merely to know by whose orders the military were called out, so as to obstruct the free passage of his majesty's subjects in the public streets.

Earl *Fitzwilliam* contended, that what had been advanced by the noble secretary of state went directly in favour of the motion, it appearing clearly from what the noble viscount had stated, that he did not know of the military being called out this day; and as therefore they were not called out under the sanction of any recognized and responsible civil authority, it became the more incumbent upon the House to call for the authority, be that authority what it might, under which the troops had been so called out. He was the more jealous upon this point, because there appeared a repetition of the attempt to set up the military power above the civil power, in violation of the first principles of the constitution. The noble earl instanced a case at York in August, 1814, where, on the ascension of Mr. Sadler, the aeronaut, soldiers had made their appearance to keep the ground, and, as it was afterwards discovered, without any authority derived from the civil power. It was this calling out of the military upon every trifling occasion, without that subordination to the civil power, under which alone they ought to be called out, that rendered it an imperative duty on the part of that House to interfere, particularly when they found that the pledge given by the noble viscount, that upon the occasions when the military were called out they should be placed under the control of the civil power, had not been redeemed.

Lord *Sidmouth* said, he perfectly agreed, that where for the preservation or restoration of the peace it was necessary to call out the military, it ought only to be done in subordination to the civil power. There could be no doubt upon this point, but it did not apply to cases where the military were merely called out for purposes of state or public convenience. All that he had stated upon this head was, that he would take care that civil officers should be stationed where the military were stationed, and to effect this he had been most anxious in giving directions. He must say, however, that upon the occasions of state or public convenience on which the military were called out, they behaved in an exemplary manner, so far as he could learn, to every individual.

The Earl of *Essex* admitted, that upon the present occasion, he received no insult or violence from the soldiers, and that they were of course bound to obey the orders of their officer.

The Marquis of *Buckingham*, whilst he gave credit to the noble viscount on the other side for his constitutional opinions, could not by any means agree that he had redeemed his pledge. On the contrary, not only had the interruption by military interference been repeated, but it appeared that there was a power greater than that of the noble secretary of state, which had ordered out these troops without his knowledge or participation, and by which, in defiance of law, peaceable citizens proceeding in their lawful avocations on the King's highway were stopped, and compelled to go to the right or the left at the pleasure of a soldier. It was high time that that House should interfere when they witnessed the continuance of these proceedings—when they saw that a power was set up above the law, by which, in defiance of the law, peaceable citizens were interrupted by soldiers, acting not only without any orders from the civil power, but without any connexion with any recognized civil authority. This had been clearly proved by the speech of the noble viscount, and that speech was one of the most forcible arguments for the motion of his noble friend. Let their lordships ascertain, as it was their constitutional duty to do, who it was, be his rank in the state what it might, that had thus ordered out a military force to stop and interrupt peaceable citizens in their progress through the streets, without any legal or recognized authority, in defiance of law, and in violation of the constitution.

The Earl of *Lauderdale* said, that this matter now assumed a more serious appearance from the doctrines that were maintained by the noble secretary of state. He had always understood that, by the law and constitution of this country, the civil power was to be first employed for the preservation of the peace, and that the military were never to be called out except where the civil power was found to be insufficient, and then only at the special requisition of the civil magistrate. But, from the doctrines now maintained, it would appear that we lived not under a civil government, but a military despotism, and that the military might be called out, and in an illegal manner stop passengers on the highway without any authority from the civil magistrate, and even without any notice sent to the office of the secretary of state at the head of the civil power. The noble secretary said his pledge was, that he would order constables to attend when the military were called out: but it appeared that they did not think it worth while to give him any notice of the intention to call out the military: and even if he had ordered the constables to attend, what was the use of their attendance unless they were to act? It could serve no other purpose but to increase the crowd and confusion. It did, therefore, appear absolutely necessary that their lordships should know by whom this order had been given, and what was its nature.

Lord *Sidmouth* admitted, that by the law and constitution of this country, when the object was the preservation of the peace, the civil power ought to be employed first; and that the military ought to be called upon only in case the civil power should be insufficient, and then only at the requisition of the civil magistrate. This had been his principle and his practice. But then there were occasions when the military were called out, not for the preservation of the peace, but for the purposes of parade or public convenience, and then certainly the civil power had not always been in attendance. The practice was of early date, though it had, perhaps, of late increased, and might require greater vigilance on the part of the civil magistrate; but he should take measures to apply the remedy, and saw no necessity for the production of this order.

The Marquis of *Lansdown* contended, that this repetition of unauthorized military interference imperatively called upon their lordships to take some steps to prevent such a violation of the constitution; and as a first step, they ought to be informed by whose authority these orders had been given. It clearly appeared, that it was not by the authority of the noble secretary of state, who was at the head of the civil power, and the police; on the contrary, that it was by some authority that would not condescend to communicate its intentions to the noble secretary of state. And this was called a defective communication—this was to be the apology for blocking up streets and interrupting peaceable citizens in their avocations. Let, then, the authority be communicated to the House from which these orders had emanated. The noble secretary of state had given a pledge on a former occasion, which, it was evident, he had made efforts to redeem, but had been unable; a power greater than his had interposed, and set him at defiance. Let, then, this secret power be unfolded to the House, that their lordships might be enabled effectually to interpose to prevent these continued violations of the constitution.

Earl *Stanhope* declared it to be his opinion, that if a soldier, under the circumstances stated, had killed the coachman, or any other servant of his noble friend who made the present motion, the soldier acting under orders which were illegal, would have been guilty of murder, and those who issued the orders, as accessaries before the fact, would also have been guilty of murder.

The Earl of *Harrowby* deprecated the warmth which had been manifested, and which he did not think was called for by the occasion. The calling out the military for the purposes of state had been the practice as far back as memory could reach, and it was for the public convenience that they should be employed. It was not a question of law; a constable with his staff, in stopping an individual on the King's highway, would be acting as illegally as a soldier with his sword, only that the appearance of the latter might cause more irritation. It was not a question as to the legality of the thing, but a question of custom and usage. He recollected that, on the trial of Mr. Hastings, the military were stationed in the avenues to the high court of parliament, and yet no objection, he believed, was ever made to it in either House of Parliament. This, then, was a proof of the usage upon occasions of state, for public convenience, and it would be found that the convenience of the public was much better consulted upon occasions of this nature, by having the military stationed than by their not being present.

Lord *Holland* strongly urged the necessity for agreeing to the motion, in order that the power from which the orders for the employment of the military upon this occasion had emanated, should be fully before the House. The noble secretary of state had uttered very constitutional doctrines, but when it came to the test, he was unable to redeem the pledge which he had given: the military were called out in defiance of his authority, and his speech, with these admissions, formed the strongest argument for the motion of his noble friend. As to the military being called out for purposes of state or parade, if they were merely to be paraded without interrupting people, of course there could be no objection. He (lord Holland) might think it a bad taste, and that it was, in truth, the worst possible taste in the government of a free country, to make a parade of a military force, but, constitutionally, there could be no objection. Then came the ground of public convenience, and either public convenience meant nothing, or it meant to preserve the peace; and thus there was in this case a military force called out to preserve the peace, without any subordination to or control of the civil power. What was the occasion, too, of the calling out of this military force? The lord mayor and corporation of London came to present an address. He had certainly a high respect for the corporation of London, and for the very worthy individual who was now lord mayor; but what was the fact? The lord mayor passes through all the crowded and narrow streets of the city without any soldiers to protect him, and without any inconvenience; and at length, when he comes to Pall-Mall, it was to be supposed that such a crowd would flock to look at him, that a body of soldiers were necessary to keep them off. The whole of this, it must be evident, proceeded upon a gross absurdity. No reason whatever had been assigned for not agreeing to the motion of his noble friend; and he could not think their lordships would do their duty, if they did not require information as to the power from which orders had issued to employ a military force in defiance of the law of the land. As to Mr. Hastings's trial, so far from no complaint being made, the fact was, that the then lord King complained in the House of the interference of the military, and some steps were taken in consequence to obviate the objection.

Earl *Stanhope* observed, in answer to

what fell from the noble earl opposite, that, in the case he had referred to, the military were called in by the desire of the House itself, and therefore no charge of illegality could be advanced against it. The house, at that time, acted on this principle, that every court of justice had a right to keep its avenues and passages open. The noble earl here read, from the Journals, the order by which the Lords with the white staves were directed, in the trial of Mr. Hastings, to provide for the clearance of the avenues to Westminster-hall. He then argued, that the case, in the instance quoted, was very different from the present. There the military acted under the authority of the civil power; the House itself directed its avenues to be kept clear, and therefore it could not be cited as a precedent, to bear out any man, in a high military capacity, for giving those orders under which the military had acted on this occasion. If, in consequence of the directions given, an individual had been killed, the offence would have been murder, and the person who had given the soldier authority to act, would have been liable to indictment for the offence.

Lord *Sidmouth* said, that during seven years, whilst the trial of Warren Hastings lasted, the king's highway, that was towards Westminster-hall, was not open to all his majesty's subjects. The matter of argument here was, that, let the circumstances be what they might, still the streets should be kept open. At the time to which he alluded, none, except members of parliament were suffered to go down Parliament-street. There was then no complaint. Now, if the interruption were in itself illegal, he could not conceive that any order of the House could render it legal.

The Duke of *Sussex* complained, that, four weeks ago, a question, similar to that now before them, was introduced to their notice. He did not doubt but that the noble viscount had acted most honourably, and had exerted himself, to the utmost of his power, for the purpose of procuring that attention to the civil authorities, which ought to be supported on such occasions. After what the noble viscount had stated on a former occasion, he conceived that he could not now be averse to the motion proposed by his noble friend. With respect to what the president of the council said, he must express his opinion as utterly opposed to it. If an evil were not resisted in the first instance, it certainly did not follow that at a future time it should not be checked.

Lord *Holland* was surprised that any person so well versed in the law of parliament as the noble viscount was, could attempt to liken the present case with the circumstances which occurred at the period of the trial of Warren Hastings. The high court of parliament certainly had a right, as a great civil body, to employ proper means for keeping its avenues clear; but, in this instance, no such authority—in fact, no authority at all—was stated, as justifying the interposition of the military.

Lord *Sidmouth* said, his argument was this—that no breach of the law was committed, and that, certainly, the high court of parliament possessed no authority sufficient to justify a breach of the law. He spoke this in reference to the circumstances attending the trial of Warren Hastings. If the conduct then pursued was, in the abstract, contrary to law, most certainly no order of that House could render it legal.

The Marquis of *Lansdown* said, that neither his noble friends nor himself had ever contended that the employment of the military was illegal, but merely that it was so when they were not called out to assist and in subordination to the civil power. By what authority had the troops upon this occasion been called out? The noble viscount had spoken six times but had never given a direct answer to the question, whether there was any civil authority. He now asked him for the last time whether the orders for calling out the military this day had been issued from the office of the noble secretary of state, or from any civil officer?

The Marquis of *Buckingham* said, that if the present motion were lost, he would move for an address to the Prince Regent, requesting his royal highness to direct that their lordships should be informed by whom the orders to the military were issued, on this occasion.

A division then took place:

For the motion	16
Against it	33
Majority	17

The marquis of Buckingham gave notice that he would, on Friday next, move an address to the Prince Regent, for the necessary information on this subject.

HOUSE OF COMMONS.

Monday, May 13.

SOLITARY CONFINEMENT.] Mr. *Bennet* rose to move for an account of the number of persons confined in the Petworth House of Correction, in Sussex. He made this motion on account of the manner in which these persons were confined, which was such as could not fail to meet the reprobation of the House. The prisoners in that House of Correction, who of course were not committed for felony, but for crimes which called only for correctional punishment, were kept in a state of the most complete solitude, in cells without casements, and without any kind of occupation or mode of passing their time. They were allowed to walk separately in the court-yard for a quarter of an hour only in each day. In this dreary manner did these unfortunate wretches pass their days, though confined for crimes that were far from meriting the utmost degree of severity. An unfortunate female had been committed to this prison, because she had been unable to find bail for some alleged assault, and was confined for three whole years till mental derangement ensued, and she was now actually in a mad-house. It had been said, however, that this female had been previously afflicted in the same manner, but that did not make the case less open to censure; for it was surely a most improper measure to confine a person in that state in a house of correction, where the proper medical assistance could not be afforded. He did not pretend that any personal blame was to be imputed to the magistrates, but the system was certainly defective, and when the case was before the House, he should make some motion on the subject. The hon. member then moved for an account of the number of persons confined in Petworth House of Correction during the last three years, specifying their crimes and the dates of their commitments.

Mr. *Burrell* said, the female alluded to had acted in a most outrageous manner, by threatening to burn the house of a gentleman, so that he had been compelled to swear the peace against her: no one offering to become security for her, she was committed; and she had afterwards acted in the most violent manner, having assaulted in open court the person who had made the charge against her; so that her mental derangement, which he was of opinion had existed from the first moment, became manifest. The system of solitary confinement arose from the manner in which the prison was built, there being no common room. The magistrates were however building two rooms of that description. He did not object to the motion.

Mr. *Bennet* said, the system of solitary confinement was carried to such an extent, that even during divine service the prisoners were cooped in wooden boxes, so that no prisoner could see another.

The motion was carried; as was also a motion for the rules and regulations of the said House of Correction.

SOAP EXCISE BILL.] Lord *Stanley* said, that among the orders of the day was the report of the Soap Excise Bill. He had not been aware of the importance of the bill, which had advanced so far without observation, as indeed the bill had not been printed. Some constituents of his, who would be much injured by the duty, had applied to him on the subject, and he hoped the chancellor of the exchequer would not press forward the bill that day, that the persons affected by it might have an opportunity to state their case.

The *Chancellor of the Exchequer* said, he had no objection to postpone the report of the bill till to-morrow. He should be able to show that manufacturers would not be injured by the bill.

Lord *Stanley* said, he should thank the chancellor of the exchequer for any delay, but so short a postponement would be of little benefit, as there would be no time for the manufacturers to appoint a deputation. Surely those persons who used hard soap would be much affected by the duty being doubled.

Mr. *Protheroe* said, there was a clause in the bill by which the duty was to take place on the 1st of May, instead of from the time when the bill passed.

The *Chancellor of the Exchequer* said, he had no objection to alter that clause. He then moved that the report be received to-morrow.

Mr. *Methuen* objected to the precipitancy with which the bill was intended to be carried through the House.

A short conversation ensued, in which the chancellor of the exchequer, lord Milton, Mr. D. Giddy, lord Stanley, sir M. W. Ridley, Mr. Finlay, Mr. G. Langton, general Gascoyne, Mr. Philips, and Mr. Ponsonby, took a part. The result was, that the report was then received, and ordered to be taken into further consideration this day week.

UNCONSTITUTIONAL INTERFERENCE OF THE MILITARY.] Lord *Milton* rose for the purpose of submitting a motion to which he trusted their would be no objection on the other side of the House. Before the recess, he had occasion to make a complaint of the unnecessary and unconstitutional interference of the military, and of an assault committed by them on himself, and a noble friend of his. After what passed in the House on that occasion, he little imagined, that in less than a month, he should have such a cause for complaint as he was about to state. What he had to mention did not concern himself personally, but was made on behalf of the same noble friend, who with himself had occasion to complain at the time before alluded to. Perhaps gentlemen were not aware, that guards had been stationed in several parts of the metropolis, in the course of the morning. He himself had not been aware of it until late in the day, but so it was. Guards were stationed about Pall-Mall and the Haymarket, so that the free passage of his Majesty's subjects was interrupted. His noble friend (the earl of Essex) was going from the Haymarket to Pall-Mall, when he was stopped by a soldier, who told him he should not pass. His noble friend demanded the reason, and was answered by the soldier, that such were his orders. He then inquired for the commanding officer, and was told that he was at Carlton-house. His noble friend then demanded, whether there was a peace officer in attendance? To this the soldier replied, that he had nothing to do with the peace officer. He regretted that he did not see the hon. member for Devonshire, (sir T. Acland), in his place, as he should expect his vote on the present occasion; that hon. member having declared, when a former complaint was made on this subject, that if another such occurrence should take place, he would second any motion made on the subject. However, he trusted, that after what passed on the former occasion, he should have the votes of several gentlemen who then opposed his motion. The House would recollect, that on the occasion alluded to, the noble lord opposite had promised to take such steps as would prevent a future recurrence of the abuse then complained of. They now saw how that pledge had been redeemed. He would ask the noble lord, whether he had been privy to the stationing of those troops? He believed he had not. The order, in his opinion, had arisen from another source, and that was the reason why the House should more strictly inquire into the subject. It was incumbent on the House to take such steps as would effectually prevent the liberty of his Majesty's subjects from being thus arbitrarily encroached on. On the occasion of the former complaint of the present nature, it had been said, that it was made from party motives and with party spirit. The same would probably be said on the present occasion. But he begged to deny the existence of any such motive in bringing forward the motion. The noble lord opposite seemed by his gestures to doubt what he thus advanced; but he would repeat, that the motion was in no degree connected with party. Party should not interfere in the decision of the House on the present occasion, for it was of the utmost importance to the country, and it was incumbent on the House to check this disposition to military government *in limine*, for if not so checked, it might lead to very fatal consequences. He again disclaimed, that either in the former or present occasion, there was any party spirit in the complaints he had made. The nature of the assault which was made on him, when not only his horse, but himself, was threatened to be cut down if he advanced, was such as rendered a complaint to the House absolutely necessary, and it was more necessary on the present occasion, when, as the House must perceive, the evil had not been checked by the former notice which was taken of it. He should like to know how the noble lord himself would have acted if such an attack had been made on him? He knew the noble lord was high-spirited, and would not have borne it without resentment. He did not mean to charge ministers with wishing to introduce military government, but there were persons somewhere who were anxious to introduce it, who wished for the prevalence of military power for mischievous purposes, and who in imitation of the pomp of foreign sovereigns, would wish to live surrounded by military guards [Hear, hear!]. But it should bere collected, that the person at the head of the civil magistracy reigned by law and civil right, and that his authority was not to depend on his military guards. The throne of this country was not to be permanently upheld by any other than the civil power. He felt that he was warm on the subject, but it was impossible he could feel otherwise, when he considered the nature of the complaint he had made. There was another case which had that day come to his knowledge, of the undue interference of the military, but to which he would not then call the attention of the House, as he had not sufficient time to inquire into it, but he certainly should inform the House of it if the circumstance was repeated. He trusted the House would go with him in thinking that this was a case where it was incumbent on them to interfere. Great evils frequently had their rise in small beginnings, which by being suffered to pass unnoticed, increased in magnitude, while those who were accustomed to witness them became callous to their magnitude or dangerous tendency. The interference which he complained of was contrary to law, and that was one of his chief objections to it. The noble lord expressed a hope that he should have the votes of several members who voted against his former motion, and concluded by moving, "That there be laid before the House a copy of the orders issued to such of his Majesty's Life-Guards as were on duty this day, within the city and liberties of Westminster."

Lord *Nugent* could not but be anxious to second the motion of his noble friend. He called upon the noble lord opposite to redeem the pledge which he had given to the House when this subject was last before them. From what had just occurred he was strongly inclined to think, that no other conduct could be pursued by him—no other excuse could be alleged, than that he had not influence enough to control the military mania which now prevailed. He could not agree in opinion that these were trifling complaints against the executive government. It was not on account of the ridiculous parade of troops on many occasions—it was not on account of the height to which this madness had gone—it was not because all our places of public amusement were perpetually infested with soldiers, that he thought it necessary to support the motion: it was because an English citizen could not pass through the streets of the metropolis, without seeing the sword of an English soldier drawn against him. He considered this as a growing system of military influence altogether adverse to the principles and practice of the British constitution, and extremely hostile to the liberties of the English people. It was quite a new system, which had grown up within the last five or six years, and ought not to be suffered to continue. The House of Commons, the representatives of the people, were the true guardians of British liberty; and he hoped we should still find courage enough to defend ourselves against the military despotism which ministers, or those for whom they were responsible, seemed desirous of imposing on us. The noble lord had acquired the love of military parade from the splendid sights which he had seen abroad; but he ought not to forget that the strength and glory of the British constitution had arisen from the people, who were the best defenders of the throne, and who had enabled this country to attain that exalted pre-eminence which she now enjoyed over the nations of the world [Hear, hear!].

Lord *Castlereagh* observed, that the two noble lords who had preceded him, appeared to him to entertain very unfounded fears of the growth of a military government, and even seemed anxious to search for proofs that a military spirit was prevalent. An individual might have been stopped in his passage through the street, or obliged to go a particular way by a soldier, but that was no proof of the prevalence of a military spirit; the soldier who had done so had acted under the orders of his officer. The noble lord who made the present motion, disclaimed any party motives in bringing it forward; and if he (lord C.) had smiled on the occasion, it was because he had some doubts on the subject. The noble mover had expressed his fears of danger to the constitution, but the smallness of the subject which excited them, and the magnitude of the tone which the noble lord had assumed, were calculated to render questions of constitutional principle of little importance to the public. He could not see why such alarm should be excited by the appearance of a red coat. Was it that it was stained with any degree of infamy, or that our soldiers had disgraced themselves in the late war, that their presence on any public occasion should be so much dreaded? He denied that he had on any former occasion given a pledge that soldiers should not be employed on court days. He had promised that he would apply to the secretary of state, that on such occasions the military should be under the direction of the civil authority, and that civil officers should attend in proper numbers. He had done so, and the secretary for the home department had made arrangements to that effect. He thought it would not be prudent in the House to accede to the present motion, as it would be giving a ridiculous importance to a matter trivial in itself. The noble individual who conceived himself injured by the soldier, could apply to the commanding officer; or, if he did not choose to do so, he could have recourse to the law; but to apply to the legislature on such an occasion was grotesque and ridiculous. He concluded by moving the previous question.

Sir *C. Burrell* hoped he should be the last man in the House to sanction any breach of the law, or departure from the principles of the constitution, but as he did not think that either were violated in the instance alluded to, in such a manner as to call for the interference of parliament, he could not support the motion. The military, he observed, were not unnecessarily called out on such occasions as that, which required their attendance this day. On the contrary, their presence was absolutely required to preserve order. He had seen several occasions where their absence was severely felt, and when the marshalmen who were stationed to keep order, were struck and whipped by rascally coachmen, whom they could not control. So little did he think there was too great an interference of the military, that he wished to see it extended. [Hear! from the opposition benches]. He would repeat it, he wished to see the presence of the military in other places, besides those at which they were usually stationed. He wished to have them not only in Pall-Mall, but up as far as Dover-street, in Piccadilly, where the accumulation of stage coaches was a constant source of riot and disorder [Hear, hear!]. The number of coaches which were usually stationed opposite the White Horse Cellar, was the cause of this disorder. These were attended by several runners, who, in their anxiety to get passengers, frequently dragged respectable females, from one to another, so as sometimes to tear their clothes, and oblige them to fly for shelter to the neighbouring houses. These circumstances he had been informed of by a public spirited jeweller in that neighbourhood, who had himself been very active in putting an end to the abuse. He (sir C. Burrell) thought that as the police did not do their duty, soldiers should be stationed to perform it, and two soldiers would be more efficient in such a place than one hundred constables. With regard to the conduct of the soldiers this day at Carlton House, he could attest that it was not irregular. He had seen them, and observed that it was with difficulty they could keep a passage clear. He himself had often found it difficult to get a passage on court days, from the very great pressure of the crowd. The soldiers at Carlton House were under the control of their officers, and would, even if disposed, be prevented from any abuse or insult to passengers. At the same time, he admitted that it was the duty of the officers to be in attendance in the street with them.

Lord *Nugent* rose to explain. He insisted that the noble lord (Castlereagh) had given an assurance to the House, and he now called upon him to state what that assurance was. The noble lord had contented himself with throwing out an aspersion, which was not new from that side of the House: he had insinuated, that it was the object of honourable members to attack the conduct of the army. He (lord N.) would not permit such an imputation to pass unnoticed. He repelled it with the utmost indignation: there was no one who loved the British army more than he did; he admired their bravery, and gloried in the success of their arms; but, as a member of parliament, as one of the representatives of the British people, he would not be deterred from saying, that he should be sorry to see the civil authority laid at the feet of the military power. (Loud cheers.) He called again upon the noble lord to state the pledge which he had given to the House, and it would then remain for them to decide whether that pledge had been redeemed.

Mr. *Brougham* congratulated the noble lord opposite on the great acquisition of strength to his arguments, in those of his magnanimous ally, the hon. baronet who spoke the last but one. It appeared to that hon. baronet, that the active interference of the military, instead of being curtailed should be increased, because a number of stage coaches had accumulated in Piccadilly, and because the runners belonging to them were in the habit of dragging respectable females, in their anxiety to get passengers. And all this disorder, which the hon. baronet had so well described, would have been much worse, but for the active exertions of a public spirited jeweller. [Hear! and a laugh]. These were indeed excellent arguments to prove that the interference of the military should be extended! But the nuisance complained of by the hon. baronet might surely be remedied without the application of a military force. Were there no constables in the metropolis? Were they gone out of fashion? Was the police called upon to do its duty? It was their business, and certainly did not require the interference of the military. But the hon. baronet could find no remedy except in a red coat. That was his panacea. Now with regard to the question immediately before the House, he, for one, did not think it ought to be pressed beyond what it would bear. He was not prepared to say, neither did his noble friend mean to say, that the constitution was endangered because a dragoon had refused permission to an individual to pass along Pall-Mall; his noble friend had only affirmed, that an inconvenience was sustained by that military parade, the introduction of which was wholly new in the metropolis, and that no one had ventured to deny. Formerly there were only two occasions in the course of a year in which the military were employed—on the birth-days of his majesty and the queen; and then they were called out temperately and in moderation. But now, instead of confining the employment of them to such purposes, whole regiments, rank and file, were paraded about when there was not even a necessity for a peace officer. His noble friend, therefore, was justified in the inference, that somewhere or other there did exist a tendency, as was proved by every day's experience during the last five or six years, to alter the customs of the people, and habituate them more and more to the sight of the military. No one would deny that; and it would be for the noble lord to state whether, on a former occasion, when a similar subject was brought under the notice of the House, he did not promise that the military should in future be called out only in case of absolute necessity, adding, that he was himself ignorant by whose orders they had been employed, but that he would inquire, and put a stop to the practice. At all events, he believed the present was the first time the military had ever been called out on the occasion of the sovereign receiving an address from the City of London. The crowd itself, in his opinion, was caused by the soldiers, who stopped his majesty's liege subjects in passing through the streets. There would otherwise have been no more crowd on the present occasion than on former occasions. He had himself seen at least half a dozen city addresses carried in procession to Carlton House, and never witnessed any remarkable crowd or assemblage of persons: and it should be remembered that the citizens were enabled to pass through Fleet-street and the Strand, without any impediment, but the moment they came within sight of that quarter of the town where Carlton House was situated, a band of music was prepared, and a regiment of soldiers were in waiting, not to keep the peace, but to gratify that foolish love of military parade, which, to use the words of his noble friend, existed somewhere, though he did not mean to accuse ministers of creating it.

The *Attorney General* said, he confessed he felt no such alarm as was entertained by his hon. and learned friend, and the noble lord upon the subject of the employment of the military, as growing out of what had occurred that day. He believed his hon. and learned friend knew, as well as any one, that if a man, whether dressed in a red or a blue coat, invaded the personal liberty of the subject, or stopped illegally upon the king's highway, the courts of justice were open for redress, either by a criminal prosecution, or by an action for damages. He certainly did not think the question was one of a sufficiently grave complexion to merit the attention of parliament. It had been said by his hon. and learned friend, that this was the first time the military had ever been so employed. He was old enough to remember, that during seven long years, while an impeachment was going on in Westminster-hall, he was regularly met by the military, and told, that he could not go the way he wished, though he might by some other road, and he could without the least difficulty, on those occasions, have permitted the person who was driving him to get into a quarrel. To speak, therefore, of the present being the first time, was really to fall into a mistake upon a point which could hardly be unknown to any member of that House. His hon. and learned friend complained of the place where the soldiers were assembled, and stated that no necessity for them was discovered, until they arrived in the neighbourhood of Carlton House. But could he possibly require to be informed that that was precisely the spot where the multitude were most likely to assemble, from idleness, from vague curiosity, or from a natural desire to witness the citizens of London going up to the Prince Regent in their corporate capacity, to congratulate him upon an event which had diffused general joy and satisfaction throughout the country. He had no doubt that if a sufficient power had not been provided, uproar and confusion would have ensued, and perhaps even lives might have been destroyed. It did not, however, therefore follow, that the military were to have a licence to abuse and insult peaceable subjects going along upon their own private affairs. The answer which had been given by the soldier, was one which surely need not excite surprise. He was unquestionably under the command of his superior officer, and he might state so knowing that his officer was under the control of the civil power. Upon the whole, it really appeared to him that the discussion of questions of this kind was calculated to advance neither the character of the constitution nor the character of that House [Hear, hear!]. He thought they might occupy themselves more consistently with their own dignity, than in inquiring, day after day, whether this or that soldier had conducted himself with becoming courtesy towards certain individuals, in allowing or in refusing their permission to pass.

Mr. *Wynn* regretted that he had not received more information from the hon. and learned gentleman, whose high authority and knowledge in the law would have been entitled to so much attention. With respect to the employment of the military, he apprehended it could never be justified, except when under the direct control of the peace officer. Neither the authority of the officer commanding, nor the authority of the sovereign himself, could justify a soldier, in stopping an individual on the high way, unless called in expressly by a peace officer. If the constable, with his staff, found himself unable to maintain the peace, then he might call upon the soldier to aid him, as he might any other person. That was the only order that could justify the military in interfering. The hon. and learned gentleman had compared the present case to that of the impeachment of Mr. Hastings. On that occasion, however, there was a competent authority. Parliament had ordered the streets to be kept clear; and this was one of their standing orders. But what took place with respect to the military? A complaint was made by lord Kenyon, and they were withdrawn. The constables alone were first to act; and if they were unable to discharge their duties, the military were then to assist them. It could not be justified by the laws of this country, that soldiers should impede the progress of any subject, before the civil power had been called in. Would the hon. and learned gentleman say that the soldier in this case could justify stopping the noble lord, merely because he acted under the orders of his officer? Even the civil officer had no right to order the soldiers to stop all people who were passing the streets. The hon. and learned gentleman had said, that the House would descend from its dignity by entertaining the discussion of this matter; but, surely, the same might have been said of Hampden and his ship-money. The appropriation of five shillings was not perhaps, in itself, deserving of notice; but the inquiry was valuable, because it was a violation of the constitution. If this was the act of the soldier himself, it might be proper to refer it to the courts of law; but if it was done by the orders of government, that House was the only place in which it ought to be discussed.

Mr. *Gipps* observed, that he was anxious to have order preserved on all occasions, but did not wish to alarm the public, or to endanger the liberties of the country.

Mr. *Addington* said, that when on a former occasion, a similar question to the present, had been agitated in another place, a noble relative of his had promised to exert his endeavours to prevent a recurrence of the inconvenience, and he could state, that every means had been taken to do so. On the very next morning after the complaint was made, general directions were sent to the police magistrates, desiring, that on all similar occasions, at least two of them should attend in person, together with a proper number of police officers. In addition to that general direction, special instructions had also been given upon particular days, and if none had been given on the present occasion (though he did not doubt but they might), it could only be because no extraordinary assemblage of persons was probably anticipated.

Mr. *Ponsonby* observed, that he did not feel the present question in the same way that it seemed to be felt by many honourable gentlemen. He was much surprised at what had fallen from the right hon. gentleman who spoke last. He said he was not apprized of what had been done that day, though he took credit for his noble relative in having given general orders upon the subject. That very circumstance, in his opinion, made it necessary that the House should know what orders had been given, and by whom they were given. By what authority were soldiers spread all over the town? Who gave directions? And were they under the control of the peace officers? It appeared, from the speech of the noble lord opposite, as if some person seemed to feel that on the last occasion, his majesty's ministers had gone too far in the way of concession, as if too much had been said about the control of peace officers, and as if an opportunity had been expressly taken to convince the House and the public that that was not the spirit in which the military were to be employed. Could the right hon. gentleman state by whose orders the military had been called out, what duty had been confided to them, or what they conceived to be their duty that day? Could he answer those questions, or could the noble lord answer them? He did not mean to complain of the Life Guards. He had frequently observed their conduct, and thought they always exercised the greatest forbearance and temper. He had indeed seen them so situated, that he wondered any human being could bear the provocations they submitted to. But still that was no justification of their employment without sufficient necessity. He thought there was sufficient ground for the charge that a disposition did exist somewhere or other to employ the military on all occasions, whether they were needed or not, and that disposition ought to be discountenanced. He did not find that any necessity had been stated, and therefore he really thought some further inquiry should be made. It was not a matter which ought to be got rid of merely by moving the previous question.

Mr. *Croker* protested against calling a few soldiers, posted before the royal residence to enforce order, a military force spreading over the whole town. He rose merely to say, that the hon. and learned member for Winchilsea (Mr. Brougham) had placed the question in its true light, when he stated that the soldier should have been brought before a magistrate, and examined with regard to his conduct. This appeared to him to be consistent with good sense, and the best course to be pursued. It was well known, from the public prints, that a sentinel had lately behaved ill in exceeding the limits in Pall-Mall, and that he was punished by the usual authority of law. An application should have been made to the same quarter on the present occasion, and he had no doubt a satisfactory decision might have been obtained. If there could be no redress obtained from the proper tribunal, the House was the proper quarter in which to make an application, and under these circumstances its interference would not be refused. He, therefore, saw no ground for the noble lord's motion, and would vote for the previous question.

Mr. *Ponsonby* denied that he had stated that the soldiery had extended over the whole metropolis. He merely had said that they were posted in places where they were unnecessary to preserve order, considering the quarter from whence the city procession came.

Sir *C. Monck* said, that the real question before the House was not, whether soldiers had or had not been employed, but whether any orders had been issued for their employment by the executive government. He certainly considered it as highly unconstitutional to call out the military except in aid of the civil power.

Lord *Milton* in reply, observed, that with respect to the advice which had been given by the honourable secretary to the admiralty, he did not know whether his noble friend would or would not think it necessary to adopt that course. That, however, was a personal question between his noble friend and the soldier. The object of the complaint, and of his motion was, to ascertain under what orders the military acted. For his own part, he doubted whether, if they even originated in the office of the secretary for the home department, they would be legal. He had no complaint to make against the soldiers themselves; it was the system which placed them there to which he objected. With respect to the insinuations of the noble lord opposite about seeking opportunities for being impeded and molested, he had no hesitation in stating, that his noble friend did go that way on purpose to ascertain whether he would be stopped or not.

The House then divided:

For the previous question ... 112
Against it 54
Majority .... — 58

List of the Minority.

Abercrombie, J.
Althorp, visc.
Barham, Joseph
Brand, hon. T.
Brougham, H.
Browne, Dom.
Calcraft, John
Compton, earl
Coke, T. W.
Curwen, J. C.
Duncannon, lord
Dundas, Charles
Fergusson, sir R. C.
Foley, hon. A.
Foley, Thomas
Folkestone, lord
Gaskell, B.
Gipps, George
Gordon, Robt.
Gratton, rt. hon. H.
Grant, J. P.
Guise, sir Wm.
Hornby, Ed.
Horner, Francis
Hulse, C.
Jervoise, G. P.
King, sir S. D.
Knox, Thomas
Lamb, hon W.
Langton, Wm. G.
Law, Ed.
Leader, Wm.
Lemon, sir W.
Lloyd, J. M.
Lefevre, C. Shaw
Martin, H.
Martin, John
Moore, Peter
Newport, sir John
North, Dudley
Ossulston, lord
Philips, George
Ponsonby, rt. h. G.
Portman, E. B.
Protheroe, Ed.
Rancliffe, lord
Ridley, sir M. W.
Rowley, sir W.
Sharp, R.
Smyth, J. H.
Stanley, lord
Talbot, R. W.
Thompson, Thos.
Tierney, rt. hon. G.
Warre, J. A.
Wynn, C. C. W.

TELLERS.

Milton, visc.
Monck, sir C.

HUSBANDRY HORSES BILL.] The House having resolved itself into a committee on this Bill,

Mr. *Burrell* opposed the bill. The tax upon farm horses fell, he said, unequally and oppressively upon different classes of farmers. He put the case of two farmers, the one having a good farm, highly cultivated, and comparatively requiring little labour to obtain all the produce it was capable of yielding; the other managing land of difficult cultivation, rugged and unequal in its surface, and demanding perpetual toil; in the latter instance a great number of horses would be required in proportion to the extent of ground, in the former a small number; and the farmers liable to pay the tax would of course be bound to contribute, not in proportion to their ability, but in proportion to their poverty, or the other disadvantages with which they had to contend. The person who possessed the worst farm would pay the most, although the least able to pay; and he who had the best land would pay the least, though the goodness of his soil augmented his gains. This tax, therefore, ought to be abolished altogether, as it oppressed the farmer in proportion to the diminution of his profits. The hon. member concluded by moving, that the tax be wholly repealed.

Mr. *Davies Giddy* said, he had always thought the property tax the best that could possibly be devised, and attended with the fewest objections. Unfortunately for the country that tax had been repealed; [a laugh] although his right hon. friend had proposed to modify it. It was a tax indeed very much reprobated, but reprobated, as he believed, by those only whose share in paying it was very small. He objected to the continuance of the tax on agricultural horses, as absurd in the extreme. It had once been argued in favour of that tax, that it was better to employ oxen than horses in agriculture. That argument, however, was futile in every point of view. As, however, the property tax had been abandoned, it became parliament to inquire whether they could consistently with the state of the finances of the country, give up any other tax. Had the property tax not been repealed, it perhaps might have been easy for the chancellor of the exchequer to have given up the salt, soap, and candle duties, and to have alleviated the pressure of the assessed taxes. But making every allowance for the situation in which that right hon. gentleman was placed by the unfortunate abolition of the property tax, he would support the motion for the repeal of the agricultural horse tax.

The *Chancellor of the Exchequer* fully agreed with the last speaker on the disadvantages resulting to the country from the abolition of the property tax. With respect to the tax on agricultural horses, he was aware there were many objections. Yet anxious as he was to give relief to all classes of his Majesty's subjects, he could not agree to give any further relief in this particular instance than what he had mentioned in the bill. When the property tax had been repealed by the House, he certainly thought it his duty to grant the smaller class of farmers, who were not affected by that tax, some relief; and it was solely with that view he had proposed to alleviate the pressure of the agricultural horse tax. His proposal was, that those under *50l.* of rent should pay *3s.*, those above *50l.* and under *100l.* should pay *5s.*, and those above *100l.* and below *150l.* should pay *7s.* The accounts on the table showed the vast number of small farms occupied in the country, and the plan he thus proposed would, he had no doubt, materially relieve those. It was objected, that the persons who occupied farms of greater extent would not be benefited. Let the House remember that those persons were exempted from the property tax, and that it was just that those whose farms were so inconsiderable as not to be charged with the property tax, should be relieved. He thought it very hard not to grant them some indulgence. Seventeen millions of taxes had this year been repealed, and he trusted the House would give him credit when he assured them, that it was his earnest wish to extend relief, as far as relief could possibly be extended, to every individual in the empire. He knew very well that many of the taxes he proposed to continue were objectionable, but the repeal of the property and malt war taxes left him no alternative.

Mr. *P. Moore* denied that this tax was called for; and before it or any others were agreed to, it was the bounden duty of the right hon. gentleman and his friends to lay before the House the true state of its financial condition, and the whole system of taxation, that it might be judged what species of taxation was necessary. He would oppose every measure of this kind, till such statements were brought forward, when he was sure the House would not hesitate in affording whatever aid was required.

Mr. *Curwen* was ready to admit, that what had been conceded by the chancellor of the exchequer would be of great advantage to the small farmer; and it was not likely that the whole tax could be given up. Every horse that was unnecessarily kept required a share of ground whose produce was sufficient for a human being, and it was therefore desirable that the number of horses should be diminished as much as possible. He objected to certain vexations in the collection of the tax, which he hoped would be remedied, particularly that which subjected farmers to the duty for riding-horses, and the charge for a groom. In one district 97 appeals had been made on this subject, and 94 of them had been deemed invalid. This was a great oppression.

Mr. *J. P. Grant*, said, it was no argument for a tax, to say that a certain sum of money was wanted and must be made up. He gave no praise to the chancellor of the exchequer for the repeal of the seventeen millions of taxes, as in fact that repeal was a matter of necessity, not of choice. The faith of parliament had been pledged to the abolition of the income tax, and besides, he believed in his conscience the people were not able to pay it. The tax on agricultural horses ought to be repealed, as it was in fact a tax on machinery. It would be as fair for the chancellor of the exchequer to tax the plough as it was to tax the horse. He entered his protest against its continuance, on the ground of its being hostile to all the principles of taxation.

Sir *E. Knatchbull* was sorry to feel it his duty to oppose any tax which appeared to have been maturely considered by his majesty's ministers.

Mr. *Wynn* reminded the right hon. gentleman that he had voted in a minority of five, twenty years ago, against Mr. Pitt on the triple assessment bill, when it was proposed to extend it to husbandry horses. No tax could be more unjust or unequal. In many parts of the country, on what were called upland farms, small horses only could be employed, and their deficiency of strength was of course made up by an increase in their number.

Sir *C. Burrell* condemned the tax as oppressive and unequal. Many soils required double the proportion of horses necessary to others. The right hon. gentleman should turn his attention rather to luxuries than to the hard earnings of husbandry.

The committee divided

For the amendment	62
Against it	87
Majority	—25

ALIEN BILL.] The order of the day for the House going into a committee on the Alien bill being read,

General *Thornton* took that opportunity of expressing his approbation of it. The attorney-general had the other night adverted to the King's prerogative of preventing the entrance of aliens into this country; and he (general T.) wished now to remind ministers of another prerogative of the crown—that of preventing our own subjects from going abroad, or of recalling them when there, under penalty of confiscating their property. This evil of men of property going abroad, and avoiding the taxes which their fellow-subjects had to pay, was every day increasing; this branch of the kings prerogative should, therefore be attended to, and a bill brought in for taxing absentees. It would be the duty of ministers to bring in a bill for preventing persons from going abroad to spend their money, and for recalling those who were there, on penalty of confiscation of property—[A laugh!].

Sir *M. W. Ridley* was unwilling to let the bill pass through this stage without declaring his sense of it. Whatever might be the reasons for an alien bill in time of war, the change of times and circumstances had entirely removed them. The alien-office since 1798 had cost the country 120,000*l.* Now, indeed, we were told, it was reduced to 3,000*l.* a year; but even this expense should not be continued for the support of what he must call a useless and illiberal office. He thought the bill quite unnecessary, and the only reason he could conjecture for its continuance was, the unwillingness of ministers to relinquish any power once placed in their hands. He could not rest satisfied without entering his protest against it.

Alderman *C. Smith* defended the measure as being essential to the security of the country.

Mr. *J. P. Grant* remarked that the hon. general might settle with his friends the ministers as to the extent and wisdom of his confiscatory bill. He himself should not occupy the time of the House on the present measure, but would reserve what he had to say upon it till the bringing up of the report.

The bill then went through the committee.

FUNERAL CERTIFICATES BILL.] Sir *Egerton Brydges* moved the second reading of this Bill. He hoped the House would permit it to pass through this stage, that it might be committed *pro forma*, and the blanks filled up, as at the same time he wished to make an amendment in the machinery of the bill, which subsequent information had proved to him to be necessary.

The *Attorney General* said, if the object of the hon. baronet was totally to new cast his bill, he should be sorry to prevent any thing which made it new in form and substance, for at present it appeared to him so objectionable, that nothing short of the greatest and most complete change in it could make it, in his opinion, palatable. It was at once vexatious and useless: it imposed on executors and administrators great trouble, to answer no good end that he could find out; it furnished nothing which parish registers and other documents did not furnish already; and seemed calculated only to gratify an idle curiosity by vexatious processes, which called on persons to give a useless history of families and their connexions, which they might be neither qualified nor at leisure to give.

Sir *E. Brydges* rose, with evident warmth, to repel those charges. If the hon. and learned gentleman's consent to a sufferance of the bill was to be founded on the supposition, that he meant mainly and substantially to alter its nature, or even its form, he begged not to mislead the House by an inference that such was his intention. He boldly and distinctly avowed, that his intention was nothing more than an amendment in one part of the machinery of the bill. He thought the hon. and learned gentleman was harsh and unfounded in the character he had given to it. Sir E. rather conceived that he must be ignorant of the contents and objects of the measure which he thus opposed. It was not a fair and liberal treatment. The contempt and ridicule attempted to be fixed upon the bill, and on himself, the mover of it, he repelled with indignation. It was as unmerited as it was uncandid.—Sir E. was proceeding in these warm terms of resentment, when

The *Attorney General* rose to order. He meant nothing personal: it was to the measure, and not to the hon. mover of it that his remarks were applied.

Sir Egerton proceeded in the same warm and indignant tone, and intimated his determination to take the sense of the House.—The Attorney General then moved as an amendment, that this bill be read a second time this day six months.

Sir *E. Brydges* again rose. If the forms of the House would allow, he begged the indulgence of the House a few minutes, while he defended the objects and character of the bill from the attacks of the attorney-general. He said, that the measure was the reverse of being vexatious and the reverse of being useless. It gave scarcely any trouble to the executor or administrator. It only called on him to answer a few questions, of which it was impossible he could be ignorant; and for this slight trouble the public would gain a set of the most complete and perfect documents that human invention could imagine for the purposes proposed. And what were those purposes? Not the gratification of idle curiosity; not the flattery of silly pride; but a ready and cheap and satisfactory mode of furnishing information, which was required in the examination of the title of almost every estate in the kingdom; and which could now only be procured at hazard, after long expense and long delay, dispersed all over the kingdom in obscure corners, at the mercy of the damp, neglect, and vermin. But this was not all. It was not true that parish registers, even when found, could give the information these documents could afford. In parish registers there was a want of proof of identity; and what was more, a want of that negative testimony which the nature of a funeral certificate would supply. After a parish register had furnished the inquirer with proof, perhaps of ten children of any one, whose heirs were to be discovered, it did not follow that he might not have ten more baptised elsewhere. A funeral certificate would furnish not only what he had, but what he had not. But this sort of document was considered by the attorney-general as novel. It had existed for 200 years: not indeed under a legislative enactment, but under the earl marshal's orders. Thirty volumes of these documents existed in the Herald's college, and had been found the most satisfactory, and the least liable to error, of any thing that had ever been offered in proof of claims of inheritance, either to estates or honours. Was the hon. and learned gentleman ignorant of this? If he was, sir E. was furnished with the means of returning that contempt upon the hon. and learned gentleman which he had so harshly attempted to fix on him: for in the high station which he filled, it was most extraordinary that his experience had not taught him to be acquainted with them, and to know their value.

The *Attorney General* repelled the charge of personality, and hinted that he would not have charged any member filling the high official situation which himself filled, with ignorance of his profession.

The motion and the amendment were then put, when the numbers were: For the second reading now, 3: For the amendment, that the bill be read a second time this day six months, 82: Majority for the amendment, 79.

Sir *E. Brydges* then gave notice that he would abandon his two poor bills, which stood for Wednesday, stating with strong chagrin and agitation, that from the manner in which his present bill had been treated, it was vain for him to hope to carry bills, on more important matters, affecting the happiness and moral condition of millions, on which there was so much difference of opinion.

Mr. *D. Giddy* remonstrated against this sudden resolve under temporary feeling, for which there was no just foundation.

Sir *E. Brydges* persisted in thinking that he had been treated with contempt, and said, as he had still a character to support with his constituents, he would withdraw himself from all further exertions in the House.

Mr. *Manners Sutton* said, that what had fallen from the hon. baronet showed that he altogether misunderstood the grounds on which the bill had been rejected. Nothing could be more injurious to the dignity and character of the House, than the supposition that any personal motives influenced their votes on public measures; and in the present case no such imputation could be more unfounded. Therefore, if it were only for the sake of giving to the House some assurance on this subject, he hoped that the hon. baronet would refrain from withdrawing any of his notices at present.

The *Speaker* observed, that after what had been said by the right hon. gentleman, he hoped the hon. baronet would be persuaded to refrain for the present from taking any measure with respect to his notices which stood for a future day.

After a few words from sir E. Brydges, the Speaker said that the House would perceive with satisfaction that the hon. baronet acquiesced in the suggestion. The other orders of the day were then disposed of, and the House adjourned.

HOUSE OF COMMONS.

Wednesday, May 15.

PETITION OF THE ROMAN CATHOLICS OF IRELAND.] Mr. *Grattan* rose to answer a question which had been put to him on a former night, whether he had any intention to submit a motion on the subject of the laws affecting the Roman Catholics. He now gave notice, that on Tuesday next he should move for a committee to take into consideration the penal laws affecting his majesty's Roman Catholic subjects. He wished to say, that the motion which he should have to make would not interfere with that of which his hon. friend (sir J. C. Hippisley) had given notice. As he should so soon have to bring the subject before the House, he should not now take up any of their time, but should present the petition of the Roman Catholics of Ireland.

The petition was brought up. On the motion that it be read,

Sir *H. Parnell* begged to take that opportunity of asking the noble lord, whether the address of the Roman Catholics of Ireland to the Prince Regent, which he had delivered to lord Liverpool, had been presented to his royal highness? He also begged to know, whether his royal highness's ministers, in compliance with the request of the Roman Catholics in this address, intended to advise his royal highness to recommend their situation to the consideration of parliament?

Lord *Castlereagh* replied, that the address had been presented to his royal highness, but that he was not prepared to say that ministers intended to advise his royal highness to make any recommendation of their situation to parliament.

Sir *J. C. Hippisley* said, that the motion of which he had given notice for to-morrow, was not calculated to interfere with that of his right hon. friend, but was, indeed, in concurrence with several objects which the petitioners had themselves in view. As it was unlikely the House would sit to-morrow, he would beg leave to postpone his motion until the 28th instant.

The Petition presented by Mr. Grattan was then read, setting forth:

" That, whilst the petitioners acknowledge with gratitude the many important relaxations of the penal laws which have taken place during his majesty's auspicious reign, they still have to regret the continuance of many severe disqualifications, and humbly submit that the repeal of the laws by which they are inflicted would eminently tend to give stability to the existing form of government and constitution, by at once removing every ground for alienation or apathy; that, in approaching the House with a view to the relief for which they pray, the petitioners rest their claim to that relief on the fact of their religious principles not being in their nature dangerous to the state, or to the continuance of the present form of government, whether civil or ecclesiastical, and rely on the wisdom and equity of the legislature, as the source from which they desire to obtain a repeal of the laws which now affect them; that it is their anxious wish that the great measure of Catholic emancipation shall be carried into effect under such circumstances as will render it satisfactory and unobjectionable to all classes of his majesty's subjects, inasmuch as, in the petitioners' estimation, the chief benefit to be derived from it is the union of persons of different religious descriptions in the bonds of concord and amity, and the removal of all jealousies and apprehensions, which being accomplished, all will be naturally led to co-operate in zealous and uniform endeavours to promote the general welfare; that, actuated with this impression, the petitioners feel themselves in duty bound to state their readiness to submit and conform to any regulations not incompatible with the principles of their religion, as they respect its faith and discipline, and not threatening danger to the purity and permanence of its exercise; and whilst the petitioners feel happy in stating that they fully rely on the liberality and justice of the legislature as a pledge of its not entertaining a wish to impose any arrangements thus incompatible, they feel equal satisfaction in the conviction that conciliatory adjustments may be settled fully satisfactory to the minds of his majesty's Protestant subjects, and yet perfectly consistent with the petitioners' principles both of faith and discipline; that the petitioners do not seek for any alteration in the principles of the British constitution as now settled, for, neither with regard to the maintenance of the succession to the Crown (as limited by act of parliament) in his majesty's family being Protestants, nor with a regard to a sincere support of the Protestant establishment in its temporal rights as fixed by law, do the principles of the Roman Catholic religion interpose any obstacle or impediment; that, with regard to the other leading features of the British constitution, it is too well known to need being now insisted on, that their origin is to be found at a period when Roman Catholic princes and Roman Catholic parliaments were intrusted with the guardianship of the public interest of a Roman Catholic people; that the petitioners, in the prosecution of an object which so naturally excites all their feelings, and occupies all their anxieties, earnestly desire, neither in act or expression, to leave room for jealousy on the part of their Protestant fellow-subjects; on the contrary, firmly attached to the principles of the constitution, and to British connexion, the petitioners show that they wish to evince, by every part of their conduct, that whilst they are solicitous to attain that station in the constitution to which they feel it would be culpable not to aspire, they reject and reprobate all idea of party aggrandizement, and aspire solely to the common participation of personal privileges, which will identify their interests and feeling with those of their Protestant countrymen, and thus unite the entire body of his majesty's subjects in constant and cordial co-operation for the common benefit; the petitioners therefore, contemplating the attainment of this general co-operation, universal harmony, extinction of jealousy, and consequent benefit and improvement of the entire British empire, humbly solicit the House to take into its consideration the state of the laws now affecting his majesty's subjects professing the Roman Catholic religion, with a view to the repeal of all of them which do not relate to the succession to the Crown, or to the continuance of the Protestant church establishment."

Ordered to lie upon the table.

SAVING BANKS BILL.] Mr. *Rose* brought in the bill "for the Protection and Encouragement of Provident Institutions or Banks for Savings." The bill was read a first time, and on moving that it be read a second time the right hon. gentleman said he wished to explain the provisions which the Bill contained, as they related to a subject which had attracted attention in every part of the United Kingdom. The first provision authorized any bodies of individuals to enroll themselves as provident institutions or saving banks, and to make regulations for their better government, which were to be enrolled at the sessions; not for the purpose of giving the justices of the peace any control over these societies, but to ascertain the fact of their existence, and thus entitle them to claim the privileges which it was thought fit to bestow on them. The bill also authorized these societies to appoint their officers, and required that those persons who were entrusted with money should give security. It was also provided that the money belonging to these societies should have the preference over other claims in case of death or bankruptcy. He did not think it advisable that any other privileges should be granted to these societies, with respect to the recovery of money, for he did not wish that any inducement should be held out to them to trust their money on private securities, because it was known, with respect to Friendly Societies, that artful persons had got into the management for the purpose of obtaining loans of the money, after which it often happened that they became bankrupts, and the societies were defrauded. It was also provided, that depositors in these banks should not be prevented from applying for parish relief, but that the decision on their applications should be vested in the justices of peace, if any dispute occurred. In the case of depositors dying intestate, a distribution was to be made according to a specific provision made in the bill. In the transfer of stock to these societies, he proposed to exempt them from the stamp duties, which was an encouragement to such institutions, which the House would not think excessive. The right hon. gentleman stated that applications had been made to him to incorporate with this measure some provisions with regard to certain societies for the encouragement of charitable loans. Of the principle and practice of these societies he cordially approved, and especially of the societies established at Edinburgh and Bath; but wishing to render this measure as simple as possible, he did not feel disposed to mix it with other matter. With respect to the progress of the bill, he proposed to move that it be read a second time on Friday next, and that upon being printed it should stand over for a fortnight, with a view to afford ample opportunity for its general diffusion. This interval he thought the more necessary, as the principle to which the bill referred was acted upon in Ireland as well as in other distant parts of the kingdom, and therefore all parties interested should have due time to consider its character and tendency.

Mr. *Barclay* cordially approved of the principle of the bill, but as so many societies were interested in this measure, a larger interval ought to be allowed than the right hon. gentleman proposed.

Sir *J. Newport* thought that Ireland was very much interested in this measure —much more so indeed than any other part of the United Kingdom. Such a measure was likely, in his judgment, to be peculiarly beneficial in Ireland, because in that country there were no poor laws, and unfortunately habits of providence were not very prevalent. Where indeed these habits appeared, they were discouraged heretofore by the failure of individuals, in whose hands the labouring poor were induced to deposit their savings, with a view to make some provision for old age and infirmity. Therefore he hoped that government, from the facilities which it seemed disposed to afford to this measure, would authorize the collectors of the several counties to transfer as soon as possible to the public funds, any lodgments made according to this plan. Thus the people would be relieved from the apprehensions too often created from the lodgment of their money in private hands: for to grant the people public security for their funds, would be the most effectual mode of encouraging provident habits.

Mr. *Rose* expressed his disinclination to hurry the bill, and his entire concurrence in the desire of the right hon. baronet, to provide ample security for the lodgments which the several subscribers to the saving banks might be induced to make, according to the principle of the bill.

The motion was then agreed to.

DROITS OF THE CROWN—MONEY PAID BY FRANCE TO THIS COUNTRY.] Sir *James Mackintosh* rose and spoke to the following effect:—

Mr. Speaker; I now rise, pursuant to my notice, after delays which did not proceed from me, to bring before the House a subject to which no man will deny a claim on its most serious consideration—the monies received or become payable by the French government to that of Great Britain at the close of the late war. It is important even with a mere view to the very subordinate consideration of their amount, which is nearly six millions sterling. Several peculiar circumstances which characterize these transactions, entitle them to jealous attention and minute scrutiny. But neither the pecuniary magnitude, nor any inferior peculiarities of these payments, are of the least moment compared with the constitutional question which they present, and on which I have thought it my duty to propose that the House shall now pronounce a decision. That question is, in substance, whether these sums or any greater sums in similar circumstances, be a droit of the Crown? that is to say, whether they be at the disposal of the Crown, and may be dealt with by the sovereign as part of his personal income; and as such applied at his discretion to those objects of bounty, liberality, and magnificence for which an ample personal income is and ought to be vested in him; whether a king of England, at the conclusion of a successful war, may convert its successes into a new source of revenue to himself, and derive from them indefinite sums of money, neither granted by parliament, nor sanctioned by them, nor even necessarily known to them. Various answers may be and have been made to this question; but no man can doubt its importance. It is a question which lies near the vital organs of the British constitution. Whatever renders the Crown independent of parliament for revenue, must for so much diminish the power of this House, and impair the grand safeguard of liberty. It is obvious, on the coolest reflection, that the exclusive power of the House of Commons over the public purse is the bulwark of this constitution, and that nothing can be regarded as small or inconsiderable which touches it, which in the slightest degree or by the most remote analogy can endanger, or contract, or bring into question this fundamental principle. For it every struggle of the British nation has been made, from the statute of Tallage to the Stamp Act. By it alone the prerogative of the Crown has been subjected to parliament, and the freedom of the constitution has been established and secured. A new claim on money made on behalf of prerogative is, beyond all other regal pretensions, the just object of parliamentary jealousy. It must be the duty of a member of parliament not to suffer such a claim to pass without discussion, or silently to slide into a precedent for future times. It is his duty at least to question so alarming a power on its first appearance, and to examine with the utmost rigour the warrant by which it claims a title to enter into the law and to become a part of the constitution.

Before I proceed to the performance of that duty, I must be allowed to relieve the House from some apprehensions which on such a subject as the present are rather natural. In the first place, Sir, I am happy to say that I shall not be long;—and in the second place, I can perfectly deliver gentlemen from all fear of legal subtleties. Instead of recurring to such subtilties, I should rather protest against their application, and warn the House against their influence. It is fit that, in the courts of law, the most subtle distinctions should be respected, and that the authority of precedent should be maintained, because it is thus only that the administration of justice is subjected to certain rules, and that the power of judges is prevented from becoming arbitrary. But this House is instituted, not to follow the example, but to watch over the proceedings of inferior courts. The House of Commons is composed chiefly of those who are not lawyers, in order that they may act on the plain and broad principles of reason and the constitution. It is their duty to inquire whether the result of legal subtilties be the fartherance of the ends of justice; and above all, to determine whether there be any reasonings or precedents received by other tribunals which may be dangerous to liberty. These are questions of far more importance than any discussions of mere law; and on them this House may decide with as much discernment as lawyers, and with much less prejudice. There are even occasions in which law itself, in order to be preserved, must be overruled by the great principles of justice and liberty, for which and by which it can alone exist.

Let me not be called upon, then, to produce the statute or the adjudged case on which I arraign this new mode of filling the exchequer by prerogative. Whatever may have been said of late, I shall always consider that, to prove the tendency of a claim to be unconstitutional, is in the House of Commons the strongest of all legal arguments against it. It has been said, that "unconstitutional" can have no meaning if it be not synonymous with "illegal." But the assertion is false and pernicious. Every single statute has a general object and intention which may be defeated by acts which do not offend against the letter of any of its clauses. Every class of statutes relating to one subject has a more general scope and spirit against which there may be many offences not prohibited in so many words in any one statute of the class. The most subordinate part of law, besides its literal provisions, has a spirit, an object, general principles, which extend beyond the letter, and without which the letter cannot be rightly understood. Shall not the same be said of that grand body of written and unwritten law relating to the powers of government, and the rights of the subject, called the constitution? As that which defeats the purpose without infringing the words of an act of parliament is justly said to be inconsistent with its spirit and principles, so acts are with equal propriety termed unconstitutional which resemble in their mischief acts already condemned as contrary to the constitution, which obstruct the attainment of its universally acknowledged ends, weaken the authority of its most useful principles, and of which the example, if consistently followed in all like cases, would leave no constitution remaining. It is by the condemnation of practices and pretensions which are unconstitutional without being, in the strict and narrow sense of the word, illegal, that the House of Commons has most often performed its high function of preserving liberty. Illegal practices may be checked by courts of law—unconstitutional claims can be resisted only by parliament. This House may, indeed, animadvert on a breach of law, but only where that breach of law is in effect, or example dangerous to the constitution.

As I have promised to be short, I may also promise that I shall be dispassionate. I bring no charge against ministers: I impute to them no intention to violate the constitution. I merely desire to guard against the establishment of a precedent which may enable the Crown, in future times, to procure money without the vote or privity of parliament. On the most alarming part of the acts or attempts of ministers respecting this subject, I shall have little occasion to animadvert. But it never must be forgotten, that in the army estimates originally laid before the House, an attempt was made of a nature without parallel since the revolution. To that part of it which related to our army in France, was subjoined a note in these words: "It is not proposed to submit to the House of Commons any vote on account of the charge contained in the above estimate." To say the least of this proceeding it was the most unadvised that any minister, without deliberate bad intentions, ever hazarded. This constitution has provided various means of check on that most unmanageable instrument of power—a standing army. Whether the union of all of them be an adequate security, may be doubted; but no man ever thought that all were more than enough. One of these controls is, the annual mutiny bill, which renders the means of maintaining discipline annually dependent on the pleasure of parliament. This check is held by the whole legislature. Another, and the only control exclusively vested in the House of Commons is, the annual grant of money for the support of the army. It is in its nature the most effectual: it is the privilege of the House of Commons alone. The constitution allows the other House to reject our votes of supply; but neither to alter their nature nor to increase their amount. It is the peculiar characteristic of the Commons House: it is that which forms our strength and our pride: it is that which has given us a preponderating authority over all measures of state. On this subject we have ever thought that the smallest dangers are to be guarded against with the utmost vigilance. No jealousy has here appeared unreasonable: no encroachments, however slender and unintentional, have been thought too harmless to be repelled. Such, Sir, has been our jealousy, and (I may add in justice) your jealousy, of this great privilege in our intercourse with the other House of parliament. What new term can be imagined adequate to the feelings with which we are bound to guard it as a control over a standing army? and what are we to think of the reverence for the constitution felt by those who, in this easy and familiar way, proposed to release an army of thirty thousand men from the strongest curb on armies provided by the constitution, and the only control over them exclusively vested in this House? It is, surely, very cautious language to say that such an attempt manisfested a very cold regard to public liberty, a disrespect, if not a contempt, of the privilege of parliament; that it throws a strong suspicion of unconstitutional principle over the men by whom it was attempted, and the measures of which it was to form a part. It has been most truly said, that at the revolution might was subjected to right. If this attempt had been successful, it would for so much have been a counter revolution. So far as it went it would have undone the chief good which the revolution did. Thirty thousand men would have been released from the control of the House of Commons, and with respect to that great portion of our army, would have been once more left to triumph over right. Thanks to my hon. friend's (Mr. C. W. Wynn) accustomed and hereditary zeal for the rights of parliament; so dangerous an attempt has been defeated. Ministers, whether from constitutional or from less pure motives, have yielded; the army in France is paid by grant of parliament; but the fact ought to be for ever remembered as a warning againt supine reliance in any ministers which, in this instance, would have betrayed the grand privilege of this House at the very point where it guards liberty and even civil government against military power.

There is one of the circumstances of these transactions which I shall lay out of the case, after a short statement of the fact. The House and the public certainly did conceive that the whole expense of the English army of occupation was to have been defrayed by the French government, and that the indemnity to be received by this country would be somewhat above four millions.—So it was expressed in the terms of the treaty—So it was argued by their advocates—So it was reasoned also by those men of enlarged and generous minds who, approving the treaty in general, lamented that it should be stained by this sordid stipulation; but it now appears that the whole is an illusion.—So inadequate to the actual charge of the British army is the sum paid by the king of France, that even with the addition of the whole pretended indemnity, it will, at the end of three years, leave a considerable balance to be paid by the people of this country for the maintenance of that army. The whole of this machinery is however liable to be destroyed in a moment by the unfortunate event of a new war. But great as that calamity will be to Europe, the duration of peace for five years is unhappily not a very probable event. At the end of the fourth year a small balance will accrue to this country. It is only at the expiration of the fifth year of peace, supposing the expense of the army not to increase and supposing no casual demand for temporary expenditure, that a sum of about half a million will come into the British exchequer. The payments are calculated with curious exactness. In the first years, while the continuance of peace is happily probable, England is made to pay a deficiency.—In proportion as the probability of continued peace diminishes, the balance in favour of England increases. Our burthen is in the years when payment is most certain—Our claims increase with the uncertainty of payment. The last balance, even in these favourable and improbable circumstances, can be scarcely considered as adequate to the chances of casual and unforeseen expense, or to the usual progress of profusion in military expenditure. But, excluding these almost inevitable demands, and granting that the government of France may continue punctual in its payment when on the very eve of regaining independence—the people of England will at that period receive half a million sterling as a compensation for all that they have done and suffered.—The word "indemnity" turns out to be a mockery. The whole money is a military contribution imposed upon that country to pay a foreign army. I do not wish to revive discussions about the principles or conditions of the treaty. It might be right or wrong to stipulate for indemnity: but it must be wrong to deceive the country by the expectation of a large indemnity, when it was known to ministers that no indemnity, or next to none, could ever be received. Ministers had discussed the preference of pecuniary to territorial indemnification night after night in parliament, while they were perfectly aware that probably no money, certainly none to be called compensation, could be paid.

I now come to the constitutional questions which are the main reason for bringing this discussion before the House. By the fifth article of the Minute of Conferences between the ministers of the allied powers at Paris, it was agreed that a sum of about a million sterling out of the general indemnity should be allotted to Great Britain, in consideration of the burthen of the war having been borne, and the city of Paris having been taken by the armies under the duke of Wellington and prince Blucher;—and that sum has been or is to be distributed to the British and allied army under the duke of Wellington's command. Now this agreement and the distribution under it must be understood in one of two ways: either it was a grant of money by foreign powers to the Crown of England on condition, (at least, in equity and honour) that the Crown should distribute it among the army;—or it was an absolute and unconditional gift of that money by these foreign powers to the Crown, which the sovereign might or might not have distributed among his army at his own pleasure. The first is evidently the true construction. If not, why was this million separated from the other four millions stipulated to be paid as indemnities to England? or why was it partly founded on the claims of the army as captors of Paris? No reason could be assigned for taking it out of the general fund of compensations—no reason could be given for its being joined with the mention of the capture of Paris—but that it was to be received by the Crown on the mere condition of bestowing it on the army. The army are the objects of this bounty. The Crown is only the channel by which it is conveyed. No body will venture to assert that the application of it to any other purpose would not be a breach of faith. It is therefore a donative from foreign powers to a British army. Foreign powers reward their valour. Foreign powers recompense their forbearance. Foreign princes pay them for the ransom of Paris. This ransom does not come from the vanquished enemy, but from allies; and the British Crown becomes its trustee to receive for its own army this great donative, the fruit of foreign liberality or of foreign equity. I conceive this transaction to be absolutely without example, and to be as degrading to the Crown as it is dangerous to the army, and humiliating to the nation. The first principle of the military policy of every great state is to render its armies inaccessible to all foreign influence. Foreign connexions,—dangerous in private subjects, detestable in public officers,—may produce instant destruction when they taint an army. The more we examine these transactions, the less traces we discover of that deep conviction which distinguishes wise statesmen, that in the management of an army no danger is to be treated as inconsiderable, and no jealousy as excessive. The chance may be small, the object of fear may be distant; but the magnitude of the evil makes up for the smallness of the risk. A very little probability of total destruction is a reasonable object of the utmost precaution. In this transaction we see the first example of what may turn the expectation and gratitude of British armies towards foreign princes. A principle of foreign attachments is planted in their breasts. If it ever reaches maturity, farewell to the spirit of the army, and to the secure independence of the kingdom. Even the smallest reason for preferring one foreign state to another is in an army a very serious evil. It is aggravated by the degradation of the Crown, in the eyes of its own army, into a trustee of foreign bounty. These things tend alike to lower the national feeling of the army, and the national pride of the people. I do not say that great impressions are, or can be made by any single act on the sentiments of the army and people of this kingdom—these are not the evils against which we have to guard in such a country as this. It is against the first approaches of danger, against the silent progress of evil, against the temper which views such advances with supine security, that it is our constant duty to struggle. It is sufficient that the example of a donative from foreign princes tends to introduce the poison of foreign attachments into our army. Ministers have done what they can to let in this mischief. We are bound to set a mark upon the act, and to do all that depends on us to shut it out for ever.

If it be contended that this sum of a million is an unconditional grant to the Crown, and that the grant to the army is a mere act of royal bounty, then it will fall to be discussed presently when I consider the question, whether sums of money granted by foreign states for national indemnification be disposable at the pleasure of the Crown. At present, I shall only observe, first, that on this principle nearly six millions have been received by the Crown under this treaty, which may be dealt with as personal income (no unimportant consideration); and, secondly, that the ministers will then have to explain another act almost equally alarming, though on very different grounds;—a largess from the Crown of England to a victorious British army:—nobody will, I dare say, deign to misrepresent me so grossly as to say that I argue against the claims of an army above praise and above reward. But why should not parliament have been left the grace of voting this or any other sum to that army? Why should they be weaned from that dependence on parliament which in some measure counterbalances the natural attachment of armies to a monarch? Would the reward be more grateful to this gallant army from the hands of foreign princes than from the thankful hearts of the parliament and people of England? The principle of our constitutional army is, that command, preferment, and honour come to it from the Crown; but the general principle is equally undisputed, that for all pecuniary remuneration it is made to depend on parliament. On this occasion I shall propose a resolution of censure upon what I think a deviation from those most important principles which guard the army against all chance of attachment to foreign princes, and against unbounded devotion even to the Crown of this kingdom.

But though I look upon all these as very important subjects of consideration, the great question in my judgment is certainly that which respects the right of the Crown in the disposal of money granted by treaty as a national indemnity. It is hardly worth while guarding against so poor a misrepresentation as that I am desirous of contracting the income of the Sovereign. I should rather suspect myself of an opposite excess. When the means of the people are considered, and the necessities of the state provided for, the personal income of the Sovereign ought to be ample for comfort, for splendour, and above all for bounty, in which he is to be liberally indulged as the best alleviation of the pain with which he must exercise the harsh duties which belong to his office. If they be too small, let them be increased, but publicly, and by the House of Commons, not clandestinely, not by the assertion of new prerogatives, dangerous to liberty and destructive of the importance of parliament. They have been claimed for the Crown as droits, that is, as being as much at the disposal of the Crown as that ungranted portion of prize of war is said to be, called droits of the Crown and droits of the admiralty. That appellation in the mouth of those who used it, imports that they may be dealt with by the sovereign as part of the revenue set apart for his personal enjoyment; that they may be applied, for instance, as gifts to his family, or for the construction or repair of buildings which are his private property, and not pertaining to and descending with the Crown. These are the purposes to which droits of the admiralty have been often and publicly applied. They are purposes to all of which it is certainly allowable, to some of which it is praise-worthy, to apply that personal revenue which is as much at the disposal of the King as a gentleman's private fortune is in his own power. But to call the money paid as indemnity, by the name of droits, is to assert that it is part of the King's personal income. This claim has not been made either lightly or by an inconsiderable person. The House will remember the surprise and alarm with which it was heard from the chancellor of the exchequer, a person of great personal and official authority on such a subject, a lawyer of eminence, conversant with the principles of law, and the usage of office relating to it, a judge of the highest fiscal court in the kingdom, the principal finance minister of the Crown in the House of Commons. This claim was made in parliament, not in the warmth of debate, but in a deliberate and elaborate statement of the national resources. It is very true, that he told us also of the intention of his royal highness to apply this fund to the public service. But it was evidently as an act of commendable liberality, of just consideration for the distress of the people and the exigencies of the state. It was not as matter of right. If it be accepted on such an explanation, it will become a precedent for the power. The recognition of the prerogative will be purchased by the bounty. Such an assertion made in such language to the House by a statesman, and a judge, ought of itself to be sufficient to raise this discussion. When the right hon. gentleman made this assertion, he rested it upon his own authority. He will doubtless now explain his reasons; I expect to hear those grounds of reason and law on which a prerogative, to me altogether new, is founded.

But the opinion of the chancellor of the exchequer, however weighty in itself and its circumstances is not the principal reason which calls on the House to determine the question which he has raised. The Crown has already exercised an act of ownership over a part of the sum granted as an indemnity, such as a gentleman might properly exercise over his private fortune. Whether that sum has been well or ill applied is nothing to my argument. It is enough that it has been expended on objects not of necessary public service, and without the privity of parliament. Neither is the amount in the least degree material to my present purpose. It is a payment made on a principle which extends to the whole, and which tends to establish a precedent which may hereafter govern any similar sums, however great. This payment, which is the main circumstance in the present case, I will shortly state. It is a sum of two hundred and fifty thousand francs paid to the chevalier Antonio Canova. Of this sum one hundred thousand francs were paid in October at Paris by a banker there, in consequence of directions from the noble lord opposite. That sum was ordered to be repaid to the banker, and the farther sum of one hundred and fifty thousand francs were directed to be paid to signor Canova in a letter from the secretary to the treasury, conveying the orders of the board to that effect to the commissary-general, on the 26th of December 1815. The concluding words of that letter direct the sum to be paid "out of any monies which may come into his (Mr. Drummond's) hands on account of the *pecuniary indemnities* payable by France to this country," or out of any other money in the military chest arising from the same service as he may deem most expedient. These words distinctly describe the fund out of which the payments to be made, and leave no doubt that it may be made out of the indemnity. The letter could have been written only after the treaty. It was in fact written two months after the treaty; and the fund from which it authorizes payment is created by the treaty. I shall not, therefore, needlessly embarrass the discussion by adverting here to the distinction, of which I am aware, between the payment made by France before the close of the war, and the payments stipulated by treaty. The letter from the treasury of the 26th of December applies to the latter, which is enough for the present argument. It is true that the noble lord gave signor Canova a credit on a banker in Paris for a hundred thousand francs a month before the treaty. But the letter from the treasury directs these advances to be reimbursed out of "the indemnity." The previous intercourse between the noble lord and his banker was a private transaction. The only official act of the British government relates to the monies payable as indemnity according to the treaty and to them alone. In a memorandum given to signor Canova on leaving London in December, he is informed that it is the intention of the British government to apply one hundred and fifty thousand franks towards defraying the expense of conveying to Rome the objects of ancient and modern art recovered from France; and 50,000 francs towards a monument "to be erected in Rome to the memory of the late cardinal d'York." By a letter from cardinal Gonsalvo to the noble lord of the 9th of March last, it appears that a hundred thousand francs was the sum originally intended to be contributed towards the conveyance of the works of art; that a hundred thousand more were added here for that purpose, and that the intention of bestowing fifty thousand on the cardinal d'York's monument probably originated in London.—If it were at all important to the argument, I might then lay out of my consideration the hundred thousand francs paid at Paris in October, and confine myself entirely to the hundred and fifty ordered by the treasury to be paid out of the indemnities. Reduced to this, the question seems to be extremely simple. It is, whether such a fund as the indemnities, may be applied to such purposes as a gift to the pope, and a monument to the cardinal of York? Both are clearly to be considered as acts of personal bounty in the sovereign. They cannot be regarded as expenses of the state, and indeed if they were, I should contend that the fund for defraying them ought to have been previously appropriated to the service by parliament. But some distinction might perhaps be made in favour of the larger part of the sum—that which is given to the pope, to aid in the conveyance of the works of the art. Without opposing generosity to policy it may be said, and indeed with truth, that it is politic in a great nation to be generous, and that the interest of the state might be well consulted by a judicious liberality to a venerable sovereign. I applaud the liberality of such sentiments, and I am far from denying that such expense might be justifiable on public grounds. But it is granted as an act of personal generosity. It is accepted with the gratitude due for such an act, and it is made to a prince with whom we are forbidden to maintain any correspondence, however exclusively political, by laws which we still suffer to disgrace our statute book. At all events, the contribution to the monument is an undisguised personal expense of the sovereign. What had been done by his majesty to relieve the distress of that eminent person when alive—what had been done also by his majesty for another accomplished person connected with the same unfortunate family — were most praiseworthy acts of generosity. But they were done by his majesty out of his own personal income, of which a part is doubtless granted to the sovereign in order that he may have an opportunity of doing such worthy acts. And I trust that I shall not be thought unfeeling if I confess, that I cannot look in the same light on a sum of public money employed in funeral honours to the last prince of a royal family who were declared by our ancestors unfit to reign over this kingdom. That they should be treated as princes in the relief of their distress;— that they should be treated as princes even to soothe their feelings in the courtesies of society — I most chearfully allow. Neither the place of my birth, nor the actions and sufferings of those from whom I am descended, dispose me to consider them with sternness. But I own, that to pay funeral honours to them in the name of the country or its sovereign, appears to me (to speak guardedly) a very ambiguous and questionable act.

Had it been done by the sovereign himself out of the proper funds of his own munificence I should have lamented so needless and ostentatious an approach to a recognition of some remaining royal character in the descendants of a family justly deposed by this nation. Defrayed out of the public revenue, I still more seriously regret that any thing should be done which seems to reflect on the most glorious acts of justice performed by our forefathers, to bring into question the legitimacy of their resistance to the Stuarts, and to throw a colour of rebellion over our great deliverance at the revolution.

These few observations are however more necessary to do justice to my feelings than to add strength to my argument. The contribution, be it judicious or otherwise, cannot be called a public expense. It is at best an expense of liberality and generosity. It has been defrayed out of the sums paid as indemnity to this country by treaty. Can money so arising be lawfully so applied. It was claimed in words by a great officer of the law and the state, as being part of the personal property of the sovereign. It has also been dealt with by the government as if it were part of such personal property. It has been claimed and treated as a droit, which in their sense, though not in mine, implies that it is at the king's disposal. It is doubly claimed — by acts as well as in words.

Now, Sir, I call for the authorities, the reason, and the usage which justify this claim. I wait to hear them. I have searched for them diligently, but I have hitherto found nothing. The burthen of proof must lie on those who claim the right for the Crown. I am bound to prove nothing. I may rest on my negative till those who affirm produce their proof. I assert nothing which is not universally admitted. The power of the Crown to dispose of such monies by the advice and consent of parliament cannot be questioned. On that point the gentlemen opposite must agree with me. So that it is plain that I, who affirm nothing to which they do not assent, have nothing to prove against them. But they assert something beyond this. They contend that the

Crown has the same power without the advice and consent of parliament. This further claim I resist; and it is sufficient for me to put them on their proof.

I conceive, Sir, that in this negative I am in a situation more than usually favourable. I stand on the vantage ground of the constitution, and resist a claim which, to say the least, it is difficult to reconcile with its most important general principles. Will any man venture to deny that such a claim is not agreeable to the general principles of the constitution? Supply not issuing from parliament—prerogative a source of indefinite revenue;—Could the wit of man discover or imagine any two claims more repugnant to the British constitution? What more exact description could be given of benevolences, or of ship money? Carry them in practice as far as their principle extends, and the constitution will no longer exist. I am well aware that in every human system, especially in a government so complicated as ours, and formed by the course of circumstances in a long series of ages, there are anomalies which must be owned to have the character of law, though they be utterly irreconcileable with the general principles of the constitution. These irregularities are, I am ready to admit, often balanced by similar deviations on the opposite side, so that the last result, the just counterpoise of constitutional authority, is maintained.—The principles of the constitution and the spirit of the people, when they cannot prevent an encroachment in one quarter, have often gained a compensation in another. But it is never too much to say, that those who contend for the exception must always prove it, and that those who rely on the constitution need only allege it. Where is the proof? It is no ordinary evidence which can outweigh such principles as those now under our consideration—the exclusive right of this House to grant supply, and the danger of every prerogative which may be a source of independent revenue. It must be shown to be consistent with law, that kings of England may conclude treaties with foreign powers, and receive indefinite sums from these foreign powers under whatever names of indemnities, subsidies, or pensions, without the consent, or even knowledge, of parliament; that these treaties may be secret; and that the king may employ any sum, however large, granted by them to any purpose which he chooses. It must be contended that a king of England may make a treaty in order to obtain for himself six, twelve, or twenty millions sterling, to be applied to objects of which he alone is the judge. If that be constitutional law, it is at least clear that the law affords very easy methods of destroying the constitution: if that be law, we must hasten to make amends to the injured memory of Charles 2nd, and recall the condemnation which, for the last century, has been unanimously pronounced against him. If the opposite principle can be maintained, he did no more than he legally might do. We must no longer call his French treaties and his French pensions infamous: we must consider them as a legitimate resource against the parsimony of a disloyal parliament. We have lately read a very remarkable account of these treaties by a person who had a great share in them. In the life of James 2nd, by himself, which has just been published, we are told, that "The duchess of Portsmouth prevailed at last on the king to make her a grant of 10,000*l.* a-quarter out of his private French fund, his main support against the tyranny of parliament!" This, Sir, is not my language:—these opinions are not mine: they come from the mouth of James duke of York, an accomplice in the conspiracy. You see the light in which princes secretly view the exercise of your constitutional power. The dependance of the Crown on this House he calls "the tyranny of parliament:" the clandestine pension paid by Louis 14th he calls "his private French fund; his main support against the tyranny of parliament." To break faith, to forfeit honour, to betray public interest, to become the hireling of a foreign despot, are all matters of too little moment to be noticed by James, when they afford "support against the tyranny of parliament." This is more odious than foreign dependence; this is the constant object of his hatred and dread—the grand enemy of the monarchy. Few British princes, probably, have carried these dispositions so far: no other has been overheard in whispering these secret sentiments. But to this point all governments tend, and in it they must all terminate, unless they be resisted by that jealousy of the House of Commons, of which James 2nd owns their hatred.

From the effect of this principle on our liberties, let me pass to consider its tendency, if you admit it on our foreign policy. What, in that case, is to hinder bad ministers from advising future kings to enrich themselves by infamous treaties of peace, and to purchase the means of pleasure or of corruption by the cession of territories the most important to the security or commerce of the nation? What disgraceful scenes may future negociations exhibit. Instead of estimating the strength and safety bestowed by a West Indian conquest on our ancient possessions, or the advantage of a maritime position in India to our dominions in that country, we might have a negociation turned into an auction of fortresses and a sale of islands. Half a million for Martinique! Half a million for the Cape of Good Hope! At every peace the king might be bribed to betray his subjects by the surrender of what their valour had won, and their interest required to be kept. We know from the authority of lord Bacon, that Henry 7th declared war where he had resolved never to fire a gun, in order to obtain money under false pretences from parliament. We know from the authority of James 2nd, that there have been kings who cherished their wages from foreign courts as a bulwark against their people. What kings of England did once, kings of England may do again. We have already gone far to tempt our kings to unjust war, by almost deciding that they may appropriate twenty or thirty millions of prize taken in warfare, called droits of the admiralty. Your determination against me this evening, would tempt them to disgraceful peace, by declaring that they may sell the conquests of the state for money to be applied as their own virtues or vices may dictate.

It will probably be said, that ministers are responsible for the exercise of this like every other power of the Crown. Wherever a power is proved to be legal, responsibility is doubtless our safeguard against its dangers: wherever the creation of a new power is shown to be absolutely necessary, there also we must content ourselves with such security as the responsibility of ministers may afford. But we must not speak of responsibility till either the legality or the necessity of the power be first made out. Responsibility is no reason either for recognizing or for granting political power; it is only a security of a certain value against the abuse of an authority which legal evidence proves to exist, or urgent danger renders it necessary to create. Necessity, in this case, cannot be urged, both because it never can be presumed to exist, and because we are not now discussing whether it be fit to vest certain rights in the Crown, but whether they exist there already. There is no more good reason for the Crown to doubt the liberality of parliament in the application of foreign grants than of supplies raised at home. The presumption must be, that whatever is sought to be withdrawn from the disposal of parliament is meant to be applied to purposes which parliament would not approve.

And here, Sir, I conceive that I am in strictness entitled to stop till I hear some proof attempted on behalf of the pretension which I call on the House to condemn. I have shown from the nature of the case that the burthen of proof lies on the gentlemen opposite. I have shown that the burthen lies heavily, because the claim to be maintained would be an exception from the first principles of the constitution. I shall now venture to go farther by showing that there is no want of arguments and authorities of a more special nature against this prerogative. The first arises from the object and terms of this treaty. Like all other treaties it professes to stipulate for indemnity for past and security against future wrong. The object of security is provided for in this treaty by the military occupation of the Northern frontier of France. The indemnity is obtained partly by cession of territory, partly by the payment of money. In the preamble "the pecuniary part of the indemnity" is particularly distinguished from the territorial. Both together constitute the whole indemnity, as the one is increased the other is diminished; so that if less money had been paid, more territory would have been ceded supposing the whole indemnity to continue the same. If France could not pay, or if the allies would not receive money, there must have been an equivalent cession of territory. France paid money in order to avoid cession, the money was the ransom of towns or provinces. If, for example, there had been no pecuniary indemnity promised to Great Britain, it is manifest that the principle of the treaty would have required a large cession of territory. Suppose, for the purpose of illustration, the cession of Cherburgh or Dunkirk, the cession of the Isle of France to us, or the cession of Guadaloupe to a weaker power. Then it follows, that the pecuniary indemnity is the price of these ports in the channel or stations in the American and Indian

Seas. If the Crown may apply the price of cessions to its own purposes, it is evident that it may and in effect does sell the territories themselves. If the four millions of indemnity has become the property of the Crown, it is clear, beyond the possibility of contradiction, that the King has sold at that price all the territories which the payment of that sum has redeemed. If the King may take money for himself, in consideration of his not requiring territory to be ceded which may be advantageous to the state, he may on the same principle take money for the restoration of conquests already made. He may sell in like manner what has become a part of the British dominions. The sale of Dunkirk may be renewed circuitously, which was long ago directly condemned. In mentioning the sale of Dunkirk, I do not regard that act as a precedent which I have to encounter. I consider its condemnation as a decisive authority in support of my principle. It was reprobated at the time; it has been justly censured ever since. But what here is sufficient, it formed the subject of the eleventh article of the impeachment voted by this House against the earl of Clarendon: "That he advised and effected the sale of Dunkirk to the French king, being part of his Majesty's dominions," and it is stated not as a constituent part of the offence, but as an aggravation "for no greater value than the ammunition and artillery, &c. were worth." Mr. Vaughan, afterwards the lord chief justice, a great lawyer, the friend of Seldon and Hale, describes the offence as high treason, which I mention only as an example of the indignation inspired by such transactions which transported this eminent lawyer beyond the boundaries of law. Lord Clarendon tells us, that the King had at the time declared, "That no part of the money should be applied to any ordinary occasion, but preserved for some pressing accident, as an insurrection or the like;" but this promised good husbandry, which might have been much more mischievous than profusion, did not prevent the impeachment. And it deserves particular notice, that this condemnation of the sale of Dunkirk occurred before the regular habit of a parliamentary appropriation to specific services had been adopted; when the Crown defrayed the whole expense of the government out of the general revenue, without rendering any account of its particular distribution, unless either upon a charge against a minister or as a reason for a demand of farther aid. Though nobody will, I presume, venture to quote the treaty of Peequigny as a precedent, yet I must shortly point it out as a warning. You remember that one of the conditions of peace obtained by the art of Louis 11th from Edward 4th was, the payment of fifty thousand crowns by the year to the English monarch, which our historians call a tribute, but Philip de Commines more honestly names a pension. The first consequence of this scandalous bargain was, the seizure of Burgundy by France; two years after Edward was tempted by this bribe to desert the House of Burgundy, the natural allies of England; and the exposure of the Netherlands to the ambition of France disturbed the tranquillity of Europe for three centuries. The statesmen and courtiers of England followed the example of their monarch, and from that time till the reign of Henry 8th thought themselves authorized almost openly to become pensioners of the court of France. The narrative in Commines, an actor in the transaction, sufficiently indicates the dishonour incurred by it in the eyes of foreign nations.

Another reason against this claim which seems to me quite conclusive, arises from the very nature of an indemnity. An indemnity is a compensation to a people for the expense of blood and treasure. If there be any thing which is the exclusive property of a people, it is that which is expressly granted to compensate for their losses and sufferings. The state has suffered the wrong; the state must receive the compensation. The sovereign can never blend his personal claims with this most purely national of all properties. It is an indemnity—to indemnify whom? Not surely the king. He has lost nothing but as the representative of the public—it is to indemnify the people who defrayed the expense of war—the people who fought and who bled. The king, as he conducts the business of the state with foreign nations, must indeed receive all payments from them; but in the receipt of an indemnity he can only be the hand of the state. He must receive them as a trustee for the public [Observing some signs of assent from the right hon. judge of the court of admiralty]. I rejoice that I see some marks of assent to this position from a person of the highest authority in the House. For the purpose of the present motion this is perfectly sufficient; and, indeed, as I have observed more than once, for that purpose alone I might have contented myself with standing on a negative till I was driven from my position by reasoning on the other side. But for the sake of a great constitutional question, I shall venture to produce positive evidence, as I think it against the claims of prerogative. I shall endeavour to show that it is condemned by approved usage, as well as by constitutional principle. The instances of this usage I shall select only from the period which followed the Revolution, not only because it is the purest time of our government, but particularly because that glorious event, among its other benefits and blessings, was the era of a new system in the history of our finance. Anciently while our kings defrayed their expenses from their own revenues, with occasional aids from parliament, there are but few traces of parliamentary interference in appropriating public money to particular objects. Afterwards, when the kings of England were reduced by a happy poverty to that dependence on the Commons which preserved the British constitution, they were still considered as contracting to defray the whole expense of the state on condition of their receiving a certain gross annual revenue. They were allowed to apportion it according to their own judgment, unless where the appearance of great abuse called for investigation, rather for the punishment of delinquents, than for the better regulation of the expenditure. Attempts to improve this practice were made at various times under the princes of the house of Stuart. It was not until the glorious era of the Revolution, that the system was established of appropriating all parliamentary grants, by the authority of parliament, to services previously approved by parliament, which gave reality and energy to all the ancient constitutional principles, respecting the power of the purse, created a constant and irresistible control over the public expenditure in this House, and ought to be regarded as the most important reform in the practice of the British constitution which has been effected in modern times. Since that happy period, every part of public law and parliamentary usage on the subject of finance, is consistent and intelligible. We have only to open the Journals of this House to comprehend the constitution. Let me now appeal to them. The House will recollect, that at the period of the peace of Utrecht, the supply of negro slaves to Spanish America, was one of the advantages granted to this country. Queen Anne had, it seems, meant to retain, for her share, a fourth part of the profits of that traffic, on the iniquity of which the eyes of Europe were not then opened. We learn from the anecdotes of those times, that it was her majesty's intention to bestow her fourth in equal portions, on two persons, now indeed of very unequal fame, a great minister and a court favourite, lord Bolingbroke and Mrs. Masham, of whom the latter was probably then the more powerful person. As soon as the House of Commons, then sufficiently zealous for the politics of the court, learned this reservation, they immediately proceeded to resist it on behalf of the public. On the 9th of June 1714, I find the following entry on your Journals:

June 9, 1714. "Resolved, that an humble address be presented to her majesty, that she will be graciously pleased out of her great goodness to her people to give directions, that the fourth part of the assiento trade reserved to her majesty by the 28th article of the assiento contract, as also all such other benefits or advantages arising from the assiento trade or the licences relating thereto, or from any duties or profits reserved to his Catholic majesty as her majesty may be entitled to by virtue of any subsequent agreement or assignment from the king of Spain to her majesty; may be disposed of for the use of the public, and towards discharging the debts of the nation.

"Resolved, *nemine contradicente*, that an humble address be presented to her majesty, that the revenues of the island of Minorca, and the rents of the houses at Gibraltar, may be applied towards the maintenance and support of the several garrisons in those places."

"To this address an answer was made on the 22nd of the same month, which together with the proceedings to which it gave rise, I shall now read to the House:

June 22, 1714. "Answer; that her majesty gave to the South-sea company the assiento or contract she obtained from the catholic king, for importing negroes into the Spanish West Indies; and her majesty has since thought it necessary for their further encouragement and for removing difficulties in the carrying on that beneficial trade to grant them the fourth part in the said contract reserved to herself; her majesty being of opinion, that the encouragement of trade will best enable her subjects to discharge the debts of the nation: as to the other reservations of an inferior nature which may have been under negociation; if they are obtained her majesty will make such disposition of them as she shall judge proper for her service.

"That the revenues of the island of Minorca and the rents of the houses of Gibraltar might be applied towards the maintenance and support of the several garrisons of those places; and that her majesty was pleased to say, that a survey has been taken, by her majesty's direction, of the island of Minorca, in order to make the possession thereof beneficial to this kingdom; and her majesty will take care that the *revenues of Minorca and the rents of the houses at Gibraltar shall be applied for the public service:*

"A motion being made, and the question being put, that an humble address be presented to her majesty to return the humble thanks of this House, for the encouragement which she has given to trade by granting to the South-Sea company the fourth part of the assiento contract, reserved to her majesty in order to their immediate carrying on that trade; and to assure her majesty, that this House *will entirely acquiesce in* all such dispositions of the future advantages which her majesty shall obtain, as she shall think proper *for the benefit and increase of trade.*

"The House divided.

"The yeas go forth.

Tellers.

YEAS	Mr. Levinz - - - - Mr. Newdigate - - -	168
NOES	Mr. Pulteney - - - - Mr. Walpole - - - -	139

"So it was resolved in the affirmative."

Now here I conceive that we have a full and applicable precedent. A certain portion of money granted by treaty is reserved by the Crown for its own disposal. A tory House of Commons protest against the claim. With all the forms of due civility and respect, but substantially as an assertion of right, they demand that the money should be applied to a specific public service. The revenue of Minorca, and even the rents of houses at Gibraltar, they unanimously claimed as public money, and destined to its proper application. Will it be said that this was merely an application to the favour of the queen? I hope any one who ventures so to describe it, will be pleased to produce a similar instance of a parliamentary application to the Crown, for the application of part of its acknowledged personal revenue in aid of the public service. I must also call on them to explain the queen's answer. It contains no saving of her right, no insinuation that the grant was matter of bounty, no protestation against the act being drawn into precedent. It is a simple assurance that the produce of the assiento had in fact been applied as the House desired. It contains an express promise to apply the revenues of Gibraltar and Minorca as they pointed out. Nothing can be more decisive than the admissions in the context of that promise. The island of Minorca is to be made not lucrative to the Crown, but "beneficial to the kingdom." The absence of all objections to the principle of parliamentary interference is, in the queen's message, rendered more conspicuous by a little peevish and ambiguous pretension; with respect to "reservations of an inferior nature," of which the queen says "she will make such disposition as she shall judge proper for her service." The House answer "that they will *acquiesce*" in such disposal of these inferior advantages "as she shall think proper for the benefit and increase of trade." The word "acquiesce" is, I conceive, of itself decisive of this question. It is clear that they, who say that they acquiesce, must have thought that they had a right to refuse their acquiescence. A word of such distinct import, so guarded, and in intercourse with the sovereign so unusually high, could not have been employed without design, nor chosen for any other purpose than that of asserting their right. But even the acquiescence was not undistinguishing. Before they acquiesce in the queen's intentions, respecting the disposal of monies to accrue in future, they choose to limit the natural import of the language of her answer. They do not acquiesce in such disposal "as she shall judge proper for her service," but in such "as she shall think proper for the benefit and increase of trade;" that is, in such an application as she had made of the assiento, which the House had already approved. Even this address was approved by no great majority. A minority of one hundred and thirty-nine under sir Robert Walpole and Mr. Pulteney, long afterwards celebrated opponents, but then contending at a most critical moment, for the preservation of liberty, were dissatisfied with the address, evidently because they did not think it a sufficient condemnation of any claim of the Crown, however ambiguous, to the slightest pecuniary advantage arising by treaty. The subsequent history of the assiento is well known, and in the conventions between Great Britain and Spain in 1739 and 1750,—it is stipulated, that his Britannic majesty shall receive certain sums in one case "for the satisfaction of the demands of British subjects on the crown of Spain," and in the other for the South Sea company. In like manner, the treaty with the United States of America in 1794, and the convention with the same republic in 1802, specify the class of British subjects on account of whom his majesty receives the sums of money therein stipulated.

The only remaining parliamentary precedent which I shall cite, is both peculiarly applicable and eminently entitled to respect. It is to be found in our journals in the months of January and March, 1765, and relates to a composition offered by France for the maintenance of the French prisoners of war during the seven years war. On the 15th of January, 1765, Mr. Grenville, then chancellor of the exchequer, brought down the following message from the throne:—

Jan. 15, 1765. "His majesty having received from the ambassador of the most christian king, a declaration made by order of his court, containing a proposal for the more speedy settlement of the accounts concerning the subsistence and maintenance of prisoners of war, and for the discharge of the balance due thereon, is desirous, as the parliament is now sitting, to know the sense of his faithful Commons before he takes his final resolution upon this subject: and has therefore ordered a copy of the above-mentioned declaration, together with the accounts referred to therein, to be laid before the House of Commons."

To this the House returned the following answer, on the 21st of the same month, advising the king to accept the composition offered by the government of France.

Jan. 21, 1765. "Resolved, *nemine contradicente*, That an humble address be presented to his majesty, to return the unfeigned thanks of this House, for his most gracious message; and to represent to his majesty, that having taken into our consideration the state and nature of the accounts communicated to this House by his majesty, and the difficulties and delay which must necessarily attend a complete liquidation of them; we are humbly of opinion that it will be most advisable for his majesty to accept the proposal contained in the declaration made by the French ambassador, for the more speedy satisfaction of his majesty's demands upon account of the subsistence and maintenance of the French prisoners of war."

On the 22nd of March, in the same year, the convention of France, and the following certificate was laid before the House, conformably to the advice which they had given.

March 22, 1765. "Certificate of the money paid into the receipt of his majesty's exchequer, by William lord viscount Barrington, in part of the sum due from the French king, for the maintenance of the late French prisoners of war.

"These are to certify, that the money paid into the receipt of his majesty's exchequer by the right hon. William lord viscount Barrington received by him of the French ambassador, in part of six hundred and seventy thousand pounds due from the French king, for the maintenance of the late French prisoners of war, amounts to the sum of one hundred and seventy-six thousand pounds.

"*Exchequer the* 19*th* Lincoln."
day of March 1765."

Nothing, I think, can be more decisive than this case. Every thing was regularly transacted, in the common course of business, as if the right of parliament over monies thus accruing, was an acknowledged part of the ordinary system of office. The Crown makes no reservation of right. The minister makes no display of the liberality. The House returns no thanks as for an act of unexpected bounty and extraordinary grace. Every matter relating to this sum of money was as much submitted to the House, as if it had been granted by themselves. They were consulted with respect to the amount of the composition. Their determination was carried into execution. The money was paid into the exchequer, and consequently, without the necessity of express words, taken as a matter of course to be the money of the public; and a certificate of the payment was immediately communicated to the House of Commons. Lord Barrington, then treasurer of the navy, receives it from the French minister, because the maintenance of prisoners had been in his department, and lord Lincoln, the teller of the exchequer, attests its payment there. This measure was adopted in the administration of Mr. Grenville, a man equally acquainted with the principles of the constitution, and with the usage of office—long conversant with the practice of the exchequer, and though of unsuspected attachment to public liberty, utterly incapable of doing any act as a minister, which might create an unobserved precedent, or even presumption against a prerogative of the Crown. This justice I feel to be particularly due to him from me, because I disapprove and lament the leading measure of his administration. And I should have done injustice to the precedent which I consider as of such respectable authority, if I had not reminded the House of the character of the minister who conducted it.

Though I have found no other parliamentary proceedings directly relating to this question since the revolution, there are a whole series of statutes which seem to me to establish the same principle. I mean, all the statutes during the present reign, for the payment of a pecuniary indemnity by the East India company, when their commercial monopoly has been renewed, and when their occupancy of the territories and possessions in India has been continued. On every one of these renewals some such valuable consideration was required from the company as the price of their trade and dominion. What part of them have been actually paid, is a question which does not affect the present argument. The statute of the 7th of George 3rd, chap. 57, which I believe is the earliest of this sort, is thus intituled, "An act for establishing an agreement of contra payment of the annual sum of 400,000*l*. by the East India company, *in respect of the territorial acquisitions and revenues* lately obtained in the East Indies." The preamble recites, "that the company have offered to pay, *for the benefit of the public*," this sum;—and it farther states the public advantage of such an agreement, "*in regard of the said territorial acquisitions and revenues*." The first section enacts that they shall make such payment. The second that "*the territorial acquisitions* shall remain in possession of the company during the said term of two years," and the third, that if the company are dispossessed of any part of the territorial acquisitions," a proportionable abatement shall be made in the annual payment. The ninth of George 3rd, chap. 20 continues the agreement for five years, during which "*the territorial acquisitions* are to remain in possession of the company;" and the third section directs, "that the monies paid into the receipt of his majesty's exchequer in pursuance of this act *shall be there reserved to be disposed and appropriated by parliament*." I shall only quote one more of these statutes;—it is the 21st George 1st, chap. 65, of which the rubric is almost sufficient for my purpose; it is intituled "An act"—for—"the payment of 400,000*l*. *for the use of the public* in discharge of *all claims and demands of the public* in repect of the *territorial acquisitions, &c.*"

The preamble recites, "that the company are willing that the *public* should participate with them in the profits arising from the *territorial acquisitions*," and offer to pay 400,000*l*. "into his majesty's exchequer in discharge of the claims of the public. The first section enacts, that this payment shall be made into the *receipt of his majesty's exchequer for the use of the public*;" and that if there be failure, the money may be *recovered for his majesty's use*:" the ninth and tenth sections also direct payments to be made "into his majesty's exchequer *for the use of the public*;" and the eleventh section directs the parts of revenue reserved *for the use of the public* to be paid into the "receipt of his majesty's exchequer, for *his majesty's use*."

The House must have already gone before me to the conclusion from the language and provisions of these statutes. It is a universal principle of law that all conquests made by subjects in war, become vested in the state. By our law the king in this case exercises the rights of the state. The territories acquired by the East India company, agreeably to these principles, were annexed to the Crown. The administration of these territories was, indeed, left to the company, on the real or supposed grounds of public utility. But they were required to make an annual compensation for the territory which they occupied. To whom? To the king? no otherwise than as a mere formality—expressly for the use of the public. Here then is the broad principle. All money paid for territory is paid for the use of the public. It matters not whether it be for the temporary occupation as in India, or for the perpetual redemption as in the French indemnities. In both cases alike the king receives, the king recovers if there be failure: but he receives and recovers for the state, and on account of the people whose trustee and steward he is. Compensation for Indian territory is declared to be disposable by parliament. I desire only to apply the same principle to french territory. I am unable to discover any shadow of distinction. These statutes also put to flight all the petty technical sophistry which may be founded on the mere phraseology of law. If it be said that these monies pertain to the king because they are ceded to him, because they are paid into his exchequer, because he is to compel their reimbursement if it be withheld; I answer that in all these points, the French indemnity precisely resembles the Indian. The last is even in one place said to be for the "use of his majesty;" but it is nevertheless clearly shown, and indeed expressly pronounced, to be, "for the use of the public," and at the disposal of parliament.

Both these statutes and the measure of Mr. Grenville's administration, have the peculiar advantage of being subsequent to the civil list act, passed at the commencement of the present reign. On questions relating to droits of admiralty, it has been said, that as the Crown, in that act, expressly surrendered many other sources of revenue, without any surrender of these droits, it must be taken to have preserved its right to them. This, I own, is not my view of the subject. In the constitutional interpretation of a statute which is to regulate the relations of the king to his people, I think such a construction illiberal and unreasonable. The true construction I think rather to be, that the king in consideration of the civil list, then established, relinquishes all branches of his former revenue not expressly reserved. This is more particularly reasonable in these cases of ungranted booty. When the expenses of war were defrayed by the Crown from its patrimonial revenue, it seemed just that in the Crown also all the profits of war should vest. But now that the expenses of war are defrayed by the public, it is of the very same reason just that the profits of war should fall to the public also. It often, however, happens that a disposition of law may be preserved by usage, by adjudged cases, by statutes, and by other authorities which are legally irresistible long after its ancient and only reason has ceased to exist.

Those who on this or similar reasoning find themselves precluded from treating the droits of admiralty as purely public property, will feel no such difficulty respecting pecuniary indemnity for territory. The case under Mr. Grenville and the statutes respecting India, both since the civil list act, manifest the sense of parliament, that pecuniary indemnities never were held to be in the Crown in any manner, or to any extent, otherwise than as an accountable trustee for the public. There is no adverse usage, or decisions to embarrass our constitutional principles on the subject of indemnities. At least I know of none—and if any be produced on the other side I will tell them what usage will alone satisfy me. It must be founded on many instances, derived from good times, generally known, openly discussed, at length recognized by competent authority. It must not be drawn from a stigmatized transaction like the sale of Dunkirk:—it must not be dependent on the maxims of tyrannical times, or on a disgraceful confederacy of the king with the judges against the nation like the claim of ship money—it must not rest on the private opinion of a lawyer, like that of sir Edward Northey, about aliens, cited some nights ago. It would not be sufficient to quote any clandestine practice of office, however long, in the best times, and under the best men. Such a practice had not been powerful enough to save general warrants from condemnation!—I am bound to confess, Sir, that I cannot conclude with the common profession of candour, that if I am in error, I shall rejoice that I am convinced of it. On the contrary, I shall deeply deplore the discovery of so great a defect in the constitution, and of so weak a point in the most important defences of public liberty. I may still, however, have one cause for rejoicing. If the constitution be really so exposed—if the law be adverse to the principles for which I have contended, I trust that the House as soon as so enormous an evil is disclosed to them, will apply all their faculties to the discovery of a remedy.

The hon. and learned gentleman then moved the following Resolutions:

1. "That it appears to this House, that a sum of 700,000*l.* sterling has been paid by France to this country since the month of October 1815, in lieu of the revenue of the districts occupied by the British army, and for the equipments of the said army.

2. "That it appears to this House,

that, by the fourth article of the definitive treaty of peace signed at Paris on the 20th day of November 1815, and by conventions between the allied powers bearing date on the same day, the share of Great Britain in the pecuniary part of the indemnity due from France to the allies was fixed at the sum of 4,166,666*l.* sterling, payable by instalments in five years, out of which there have been already paid by France 208,333*l.* sterling.

3. "That it appears to this House, that the sum contributed by the king of France, agreeably to the said treaty, for the pay and expense of the British army of occupation, is so inadequate to its actual charge that, even with the addition of the money received as indemnity, it will leave, at the end of three years, a considerable balance to be paid by Great Britain, and that it depends on the contingency of the continuance of peace for five years, whether at the end of that period this country shall receive half a million instead of four millions, held out by the treaty as a pecuniary compensation for the services and sufferings of the British nation.

"4. "That it appears to this House, that, by the 5th article of a minute of conferences between the ministers of the allied powers at Paris, it is agreed that a sum nearly equivalent to 1,004,000*l.* sterling shall be allotted to Great Britain in consideration of the burthen of the war having been borne, and the city of Paris having been taken, by the armies under the duke of Wellington and prince Blucher; being in substance a donative from the allied sovereigns to a British army, in which the Crown of Great Britain is made a trustee to distribute the bounty of foreign princes among his majesty's troops.

5. "That it appears to this House, that all the monies hitherto received from France have been paid into the military chest of the British army of occupation, except two sums amounting to nearly 10,500*l.* sterling, out of the sums paid by France as indemnity, which, agreeably to the letter of the lords commissioners of his majesty's treasury of the 26th day of December 1815, were paid to the chevalier Antonio Canova, towards the erection of a monument to the late cardinal of York at Rome, and to assist in defraying the charge of conveying the works of art restored to the pope from Paris to that city.

6. "That the application of any part of monies granted by treaty as a national indemnity, to other purposes than those of public service, without the privity and advice of parliament, avowedly made upon principles which extend to the whole of these sums, and to all future grants of a like nature, appears to this House not to be warranted by any approved usage of this realm, and if drawn into precedent to have a tendency to impair the value of the exclusive privilege of the Commons House of Parliament to grant supplies to the Crown."

The question being put upon the first Resolution,

The *Chancellor of the Exchequer* rose. He said, that the hon. and learned gentleman who had just sat down, having repeatedly appealed to him in the course of his speech, he felt himself called upon to reply as shortly as possible to the arguments on which the hon. and learned gentleman supported the resolutions now before the House. It seemed to be admitted by the hon. and learned gentleman, that in point of strict law all that had been done was perfectly justifiable, as he had dextrously abstained from entering into the law upon the subject. He had rested his argument intirely on what he called constitutional grounds, and it was impossible not to remark the dexterity with which he had avoided a question capable of being brought to a distinct decision by reference to legal authorities and precedents of former practice, to involve himself in references of vague and obscure analogy to what he chose to consider as principles of the constitution. In the stricter and more precise view which he (the chancellor of the exchequer), wished to take of the case, it was important to distinguish between the different questions which arose out of it. The hon. and learned gentleman did not sufficiently attend to the distinction between the contributions paid by France before the treaty of peace, and those to the payment of which she was now bound by the treaty. As to the payments made before the treaty, they were to be considered as booty of war. He could view them in no other light than as a ransom paid by the king of France for the rescue of certain provinces from those charges which, by the ordinary laws of war, might have been imposed upon them by the allied army. At all times it had been allowed that contributions levied from conquered provinces, *jure belli*, belong to the sovereign; and therefore it appeared to him clear that whatever sums were raised in

France during the war, or in consequence of contributions imposed before the signature of the treaty of peace, were at the disposal of the crown as booty, subject to that responsibility which the ministers of the Crown always owe for the just and wise application of its revenues. As to that part of the subject which related to the payments to be made by France during the stay of the allied armies in France, in pursuance of the treaty of peace, the question was different. The hon. and learned gentleman had insisted very much on the payment of the two small sums, for the expense of carrying the works of art from Paris to Rome, and for a monument to the last surviving heir of the house of Stuart. It was certainly true, with respect to these sums, that the treasury minute stated that these two sums were to be paid out of the military chest; but it was quite evident that it alluded to what was paid before the signature of the treaty; because they were paid before any sum could possibly be received pursuant to the treaty. This explanation consequently relieved the transaction as to any ambiguity with respect to the fund from which these sums were to be taken. Therefore the argument of the hon. and learned gentleman, as applied to this part of the subject, in so far as it went against the strict legality of the application of the grant, must entirely fail.

The hon. and learned gentleman had stated, that he (the chancellor of the exchequer) contended that the whole sums payable, or paid, both before and after the signature of the treaty, were alike droits of the Crown, and applicable as the sovereign might please to direct. For his own part, he utterly denied this. He had used no such argument. On the contrary, early in the session, he had informed the House, that the Prince Regent had directed all the sums received from France to be applied to the public service, and would direct all future sums so to be applied. He had never said, nor meant to say, that those sums to be paid in consequence of the treaty, in any sense of the word, were droits of the Crown. In a war such as that in which the country had been engaged, and terminated by such a peace, there might be a great difficulty to find any precedent which would be exactly analogous with respect to the application of such a sum as that paid before the treaty, though he had no doubt, upon consideration, of the legal principles and authorities which seemed to him to govern the question, that they were to be considered as booty disposable by the Crown. But as to the sums paid after the treaty of peace, there could be no doubt entertained that the sovereign received these sums in right of the nation, and subject at the same time to the terms of the treaty under which they are paid [Hear, hear!]. Unquestionably the sum was paid to the nation in consideration of the losses sustained by it during the war, and it was the duty of the sovereign to see it applied to the national service. As to this, he could only assure the House, that the application of these sums to the public service was as much intended as in the case of any supply voted by parliament during the war. Questions might arise as to whether it would be more advantageous to lay out this money in rebuilding fortresses destroyed during the war; in restoring a district laid waste; or whether to relieve the public from the contribution of new sums to the service of the state. But in whatever way applied, still it was for the public service, and as an indemnity to the public.

Thus far, then, a great part of the subject was disposed of. But as to the application of these sums, the hon. and learned gentleman had raised several questions on which it would be necessary to say a few words. First, the hon. and learned gentleman supposed that the sum was inadequate to the support of the army. Whether the payment was adequate or not, in a constitutional point of view, was of no importance. But even if it was not adequate, as far as it would go it could not be applied in any better way than in defraying part of the expenses of maintaining the army. All that had been said upon this was, that it appeared from the most correct estimates that the income derived from the contributions would be equal to the expenditure. It appeared by the accounts upon the table, that about 600,000*l.* sterling would be received for the year 1816; but in the course of the ensuing year more than 1,500,000*l.* in different instalments, under the head of indemnity and allowances for the expenses of the army. At the end of the five years there would be an estimated surplus of 500,000*l.* sterling, after defraying the whole expense of the army of observation, and the intended donation to the troops engaged in the battle of Waterloo, and the capture of Paris. On this branch of the subject he would insist no farther. A more material part was that which related to the sum alleged by the hon. and learned gentleman to be given as a donation by foreign powers to the British army. If it had been intended that this sum should be a gift from foreign powers to the army, he admitted it might be matter of great jealousy to the House. But it was only necessary to look over the convention, to see that this supposition was very remote from the truth. In consequence of the extraordinary exertions made by the British and Prussian troops, somewhat more than 1,000,000*l.* was appropriated by the several powers, to be reserved out of the contributions not as a gift to the armies of Great Britain and Prussia but to the nations as represented by their respective sovereigns. Therefore, if the armies of Great Britain and Prussia got any sum, they would owe it entirely to the bounty of their own sovereigns. The sum was not taken by the governments of Prussia or of Great Britain with any pledge to grant it to the army, whatever their intentions might be on this subject. The hon. and learned gentleman had stated, that the case of this money was perfectly unlike donations of booty in former times; but it was not easy to discover on what principle the hon. and learned gentleman discriminated between these two cases. It was certainly true that the sum now in question was very large, but however large, it was not greater than had been obtained by the army at the capture of St. Eustatia and of Java. Indeed he would say, as to this, that there never was a case in which such a grant was more hardly earned, nor in which (comparing the circumstances) it was more moderate.

The hon. and learned gentleman had, after dismissing what he called his constitutional objections, cited precedents, and there were two of these on which he principally stood. As to the precedent of 1714, respecting the address of the House on the subject of the assiento treaty—(and here he could not but express his surprise that the hon. and learned gentleman should have mentioned that contract without expressing the horror which every good man must feel at recollecting, that it was a contract by which this country reserved to itself a participation in the profits, of an extensive slave trade),—the House had certainly, on that occasion sent an address to the Crown; but what was the nature of that address? An address praying that the money might be employed for the public service, and in discharge of the debts of the nation. Now, if the sum had been one to which the House of Commons considered itself as strictly entitled, they would not have been contented with agreeing to such an address, but would have voted a censure upon the minister who had advised the Crown to dispose of it without the consent of parliament. And the queen's answer too, by stating how she had applied the money showed that her majesty conceived that she had a right to apply the money in the way she thought fit for the public service. And as to the smaller sums mentioned in the address, the reply of the queen was still more guarded, it being that "her majesty would apply them in the way she should judge most beneficial for her service." This precedent then instead of proving any thing for the argument of the hon. and learned gentleman, proved no more than that the House had interfered to prevent any misapplication or abuse in the exercise of the right of the Crown. The other precedent quoted by the hon. and learned gentleman was still less applicable: it related to the arrangements made at the peace of 1763, respecting the balance for the maintenance of prisoners of war between this country and France. This country had a claim to the amount of 900,000*l.* and agreed to accept 700,000*l.* as a full compensation—not as an indemnity—not as a contribution—not as a ransom—but as a strict settlement of account between the two nations. There was no doubt how the money was to be applied, because it was in fact a mere repayment of the parliamentary money expended in the maintenance of prisoners. Nothing, therefore, in that case could be more constitutional than the conduct of Mr. Grenville, in bringing down a message to parliament upon the subject. This was unquestionably an excellent constitutional precedent, but really in the present case it was quite inapplicable. [Hear, hear!] As to the other precedent quoted respecting the territorial privileges of the East India Company, the hon. and learned gentleman had been as little successful. The hon. and learned gentleman admitted that the territory belonged to the Crown; but then the charter of the East India company comprehended much more than the mere regulations with respect to territory; it contained a vast variety of privileges which parliament allowed and confirmed to that company, and it was therefore certainly to parliament that the pecuniary compensation for these privileges belonged.

Nothing, therefore, could be more irrelevant than the whole of the cases cited by the hon. and learned gentleman; and of this, indeed, he had himself seemed sensible, by deprecating all quotations and authorities on such a question. The great dependence of the hon. and learned gentleman was on the constitutional principle of the dependence of the Crown upon parliament for money; and going upon this principle, he affected a great alarm at all sums received by the Crown unless through parliament, as tending to make the Crown independent on parliament for supplies. What, then, was the amount of the sum in the present case on which the hon. and learned gentleman founded his apprehensions? It was truly upon the sum of 5,000,000*l.* to be received by the Crown within five years! But last year parliament had all at once, by a vote of credit, placed at the disposal of the Crown 6,000,000*l.* to be expended within one year. The hon. and learned gentleman then asserted, that it was to be feared, that future ministers, acting upon the present case as a precedent, might sell for money the territorial acquisitions of the country. On this point, he could only say, that if such a minister should ever exist, he must be the basest of mankind. But then, in estimating the weight of such a fear, it was not to be forgotten that it was no easy thing to force a foreign country to raise those contributions by which only money could be paid to hostile powers. Such instances had rarely occurred in history, and scarcely ever in modern times, till that most extraordinary and eventful period in which we were lately placed. There could be nothing like the cases mentioned by the hon. and learned gentleman which had occurred in the reign of Charles 2nd, which were private stipulations; but these must be on the face of a treaty, and then it would be subject to the control of parliament, which could make it completely ineffectual. In the present case, the British army in France was as completely under the control of parliament as ever; it was supplied by vote from the House—the mutiny bill was passed for its regulation—it was under rigorous discipline—in short, it was as completely under the control of parliament as any British army had ever been. As to the allusion made by the hon. and learned gentleman to the sale of Dunkirk, it was to be observed, that that was a transaction which had not taken place at the conclusion of a treaty of peace, but during profound peace. He, however, entirely concurred with the hon. and learned gentleman in condemning that transaction as infamous and disgraceful to the government. He admitted, that in all cases like the present, the sovereign received the money only as the steward of the nation; and that, under general powers, the sovereign must apply it, subject to the control of parliament; and that the Crown was bound to account for the whole sum received. In point of application, the case resembled the surplus of a parliamentary grant, which of course was accounted for to parliament. The sovereign, in all transactions with foreign states, represented the nation, and acted as its trustee; as such, declares war, makes peace, and enters into treaties. This prerogative, like all others, and amongst the rest, like the privileges of parliament, might be abused. But then the power was not to be refused, because its abuse was possible. It was for parliament, in its wisdom, to watch; and, in its justice, to punish any deviation from its due exercise. As in the present case there was no such deviation, he must meet the motion of the hon. and learned gentleman, by moving the previous question.

Mr. *Tierney* observed, that the sole object of his hon. and learned friend had been to establish certain principles which it now appeared were fully conceded by his majesty's ministers. The proposition maintained in his hon. and learned friend's admirable speech was the ground assumed by the right hon. gentleman, namely, that the funds in question were not received in right of the Crown, but for the purpose of being applied to the service of the public. This admission narrowed the question very considerably, and brought them to the consideration of what was the best practical use which could be made of it. The right hon. gentleman had talked of the statement made by ministers of their intentions; but a statement in debate was no statement at all to the House, and could be made satisfactorily by no other means than by a message from the throne. This was the course pursued by Mr. Pitt, when he informed parliament of the intention of the Crown to apply a million of the proceeds of the Dutch prizes to the service of the year. The right hon. gentleman assured them that all this money would be properly applied; but was not this rather an irregular mode of proceeding. Would it not be much better to have it paid into the exchequer, and again granted out by parliament? Here was a sum of five millions paid in time of peace as an indemnity to this country, and locked up in the chest of the military paymaster. Was it not too much to trust to the discretion of an individual whom the House did not know, that he would expend all this money to the advantage of the country? He was not aware that the whole amount was to be reserved for military purposes; he had understood that it was partly to be regarded as national indemnity. The noble lord had on a former occasion taken great credit to himself for extracting this indemnity from prostrate and degraded France; and now the result was, that the whole was to be consumed by a British army placed on the frontiers to keep the Bourbons on the throne. This was truly not a very consoling reflexion to a *nation boutiquière*, as we had been called. The peace had been termed a triumphant one, but the triumph was only in arms: it belonged not to the noble lord in any degree; at least he was not aware that the noble lord had ever taken up the sword. He was no great admirer of the sort of candour which had been exhibited on the other side in the course of the debate, because it seemed to him to proceed from a consciousness that they had no other ground to stand on, and to have been extorted from them by the object of his hon. and learned friend's motion. The erection of a monument to cardinal York, the expense of which was defrayed out of this money, tended to increase his suspicions, and to prove the necessity of preventing misconstruction in future. With all his admiration of the noble lord's powers of countenance, he did not believe the noble lord could have assumed gravity enough to have come down to the House, and recommend such a vote. He should have thought it a sufficient monument to the cardinal's memory that he was one of a family which had been driven from the throne of a realm which they had misgoverned. When he was told, however, that the money was all applied to military purposes, he had a right to say, here is a part of it otherwise applied. A sum of two millions, it appeared, was to be divided between the English and Prussian armies, by the surrender of their respective shares by Austria and Russia. He was perfectly ready to admit that our army at Waterloo had well merited the gratitude of their country, but it was rather hard on those who had had an equal share of service, but did not happen to be present in that particular engagement, that they should be excluded from an equal share. In every point of view the money ought to have been first sent to the exchequer. They were told, indeed, that the sovereign was here acting in the character of a steward. Suppose, then, a steward were to write to his principal, acquainting him that he had received 10,000*l.* on his account, and that he would inform him of its application as soon as he had expended it, which he was in the fair way of doing, would not the principal be disposed to say, "It is true you may employ it in the purchase of ploughs and harrows, and other very necessary articles, but I would rather manage these transactions myself." Viewing, therefore, the course that had been pursued, though not with suspicion, yet with jealousy, he should certainly support the resolutions of his hon. and learned friend.

Lord *Castlereagh* thought it impossible that a clearer and more satisfactory explanation could have been produced than that given by his right hon. friend the chancellor of the exchequer to the House. No greater tribute could be paid to its merits than the attempt to answer it made by the right hon. gentleman opposite, who had flown off entirely from the question. As to the application of the money, the subject had already been amply discussed when the treaties were laid before parliament, and had received its approbation. The army grants had been already voted, and the amount of those sums would be deducted from the supplies to be produced for the service of the year. They had not been detailed in the ways and means, because they were not levied from the people, but the vote of supplies would be lessened in proportion to their amount. He repeated his former statement respecting the reasons which had induced the Prince Regent to join in the erection of a monument to Cardinal York. The sum, however applied to that purpose had not been taken out of the funds intended for the public service, but out of those which remained distinctly under the power of the Crown. As to the relinquishment by Russia and Austria of their respective shares, it was in order that the armies who had fought the battles should be properly remunerated out of a regular contribution, instead of the irregular one imposed on Paris by marshal Blucher, at the arrival of the English and Prussian armies at that capital. But the troops could not receive these sums before they had come into the hands of the Crown; and it was well understood, that they could only be applied to the public service.

Mr. *Ponsonby* thought the House much indebted to his hon. and learned friend for having so ably brought this subject under its consideration. He had no doubt, from what fell from ministers at the commencement of the session, that it was their intention to claim the whole as the property of the Crown. They had, however, found their original view to be inaccurate, and were at length compelled to embrace a more constitutional doctrine. He admired the revolution as much as any man, but a great deal had been done by parliament and the people before that event. In 1674 or 1676, in the reign of Charles 2nd, himself, the House of Commons voted, that they were the only branch of the legislature which could originate or apply grants of money. The spirit was already in existence which at length, on finding that no faith could be placed in the reigning family, expelled from the throne the Stuarts, whose best monument was to be found in the history of their country. No writer had contributed so much to a misapprehension of the true character of the English government, prior to the Revolution, as Mr. Hume, who was undoubtedly a fine writer, but whose speculations on that subject were equally ignorant and shallow.

Sir *James Mackintosh* shortly replied. He congratulated the House on the language now held, respecting indemnities by the chancellor of the exchequer, and he could only appeal to the recollection of the House, whether it was not diametrically opposite to the doctrine maintained on that subject at the opening of the session. Then, the word "droits" was applied equally to all the monies payable by France. Now, the chancellor of the exchequer reprehended those who did not distinguish between different parts of them as regulated by opposite principles. Now, the indemnity at least is admitted to be for the use of the public, and at the disposal of parliament. Then, credit was taken for the liberality with which government granted the whole sums (not excluding the indemnity) for the exigencies of public service. Still however, he (sir James) must congratulate himself on having obtained his object. He had obtained a disavowal of dangerous pretensions which he might now hope would never again raise their head. One singular inconsistency ran through the speech of the right hon. gentleman; while he adopted the same conclusion with him (sir James) he rejected all the premises from which it was inferred. He agreed that the indemnity was public money; but not on grounds of constitutional principle. These were vague and obscure; not because it would be mischievous to hold otherwise, for the sum was too paltry (only five or six millions) ever to be dangerous—not on the authority of precedents, for those which had cited, were condemned as inapplicable if not adverse. The reason and authority were rejected, and no others offered in their stead. The chancellor of the exchequer was indignant, that he should be supposed to doubt the public claim to the indemnity. But as the case now stood, his opinion of that claim rested neither on authority nor argument. He had employed his speech in cutting away the foundations of his opinion—all that remained for him (sir James) to do was to vindicate the chancellor of the exchequer's opinion, in which he was happy to concur, against his arguments, which it was fortunate might be so shortly answered. The precedent of 1714, the chancellor of the exchequer thought almost adverse. And why? Because if the money had been regarded as public money, the House of Commons would have proceeded criminally against the minister who had misapplied it. But the truth was, the House knew nothing of its application; they knew only that it was reserved for the Crown in the convention, and without waiting to see whether the liberality of the Crown would bestow it on the public, they immediately desired that it might be applied to a specific service. The right hon. gentleman in this part of the argument, fell into a flagrant inconsistency. According to his own principles this evening, money granted as a compensation by treaty, whether by allies or enemies, was received by the Crown merely as trustee for the public. And yet he contended that the House of Commons of 1714 thought otherwise. He (sir James) was happy to replace that precedent as a part of the foundation of the opinion common to him with the right hon. gentleman, which that gentleman had unadvisedly endeavoured to remove. The case of 1765 is no precedent. Why? Because the money for the maintenance of French prisoners having been voted by parliament, the mode pursued in that case, was the proper form for the reimbursement of a parliamentary grant. A composition paid for the maintenance of prisoners was accounted for to parliament, because parliament had maintained the prisoners. And precisely in the same way ought not the compensation for the expenses of war to be placed at the disposal of the parliament which had defrayed these expenses? The one was a reimbursement for one branch of the expense of war, which had been paid by parliament—the other for any part of the same expenses which had been defrayed in the same manner? There was absolutely no difference but in the magnitude. And in order to distinguish the cases, the right hon. gentleman must discover a principle which requires, that a small indemnity should be received for the public, and a great indemnity should be at the disposal of the Crown.—The right hon. gentleman had objected to the case of the East Indian statutes—that there the money was placed at the disposal of parliament; because the statutes related not only to territory, but to other objects, such as commercial monopoly, which parliament only could establish. But this assertion was made in defiance of the statutes themselves; in every one of them the payment is expressly made in consideration of the territorial possessions; it has no concern with commerce, and no dependance on it; it was never required during that long period, when the company was exclusively a commercial body, and carried on a commerce much more lucrative than they have enjoyed since they became great sovereigns. The occupation is to last during the payment. If the revenues of the territory be lessened, the payment is in that proportion to be abated. It was therefore solely a compensation for territory; and as such it was received by the king only for the use of the public.

Fluctuating and indistinct as the language of the right hon. gentleman had been, his principles must have led to a condemnation of his acts, if he had not stated these acts in a manner not justified by the documents before the House. He had not pretended that the conveyance of the works of art, or the tomb of the cardinal of York, were objects of public service. Neither had he ventured to maintain, that the produce of the indemnity could be applied to any other than to objects of public service. He was therefore reduced to the necessity of asserting, that these expenses had not been defrayed from the indemnities. But it was only necessary once more to refer to the letter from the Treasury of the 26th of December, in which they are expressly directed to be paid out of the indemnities paid by France under the late treaties.—All farther argument on this point was useless.

On the whole he conceived that he had established a right in the public, and a violation of that right by the government. The first was admitted; and the second was he thought demonstrated. After the admission of the first, he considered the object of his motion as attained, and was more indifferent about its issue in point of form: but, pursuing to the last his task of vindicating the chancellor of the exchequer against his own inconsistencies, he should rather choose to see that right hon. gentleman's principles preserved by these Resolutions on the Records of the House, than abandoned to those chances of oblivion or misconception, to which they were liable in their present state.

The previous question was then put on the several resolutions separately, and carried without a division.

MOTION RESPECTING GREENWICH HOSPITAL ESTATES.] Sir *Charles Monck* rose for the purpose of moving that an inquiry be instituted into the mode of managing the estates belonging to Greenwich-hospital. A variety of papers had, he said, been produced to parliament, which showed how much of the gross revenue of these estates came into the coffers of the hospital; and it appeared to him that the amount was much smaller than it ought to be, and than it would be under proper management. In confirmation of this, the hon. baronet stated, from the papers which he held in his hand, that, under the head of repairs, rebuilding, fences, &c. a sum of 54,000*l.* had been laid out on these estates during the last five years, while the gross receipts of the whole were scarcely 40,000*l.* a-year. During the same period, notwithstanding this large outlay, the increase of the gross receipt was only 1,196*l.* a-year. From the papers it also appeared that the net receipts into the coffers of the hospital formed only between a fourth and a third of the gross produce for the last five years. This was the same as if a gentleman worth 10,000*l.* a-year in landed property should receive from it an annual income of only 2,700*l.* It besides appeared that the gross receipts arising from the woods had been, for the last eight years, only 21,000*l.* while the expenditure upon them had been 30,000*l.*; so that, by their woods, the hospital, instead of gaining, had actually lost 9,000*l.* The law expenses incurred seemed also enormous. This branch of expenditure alone had increased from 700*l.* to 2,400*l.* in the course of eight years. The hon. baronet next proceeded to observe, that it was the general opinion in Northumberland and Durham, where these estates lay, that they were corruptly managed. One of the commissioners for their management, the report ran, was a partner in a timber-yard, and hence it had happened that 4,000*l.* had been spent on foreign timber for repairs, though the hospital had timber enough of its own. It was also the general opinion in that part of the country, that of the two commissioners of management one was unnecessary, and the other obtained his appointment through parliamentary interest. On all these grounds he hoped that an inquiry would be instituted. The House had done a great deal this session towards retrenchment in the public expenditure, and he trusted that they would now adopt the necessary measures for preventing future dilapidations in this important branch of what must be considered as public revenue. He concluded with moving. "That a committee be appointed to inquire into the causes of the difference between the gross and net receipts of the estates of Greenwich hospital, in the counties of Northumberland, Cumberland, and Durham, as that difference appears by the accounts of those estates which have been laid upon the table of the House, and that the committee have power to send for persons, papers, and records."

Mr. *Long* contended, that the mere statement of a large sum having been expended on these estates made no *primâ facie* case to prove the existence of abuses, particularly if it could be shown that the effect of this outlay had been an increase of the revenue. When he stated that, within these five years, no less than 16,000 acres belonging to these estates had been enclosed, and 10,000 acres converted from pasture to arable, he thought he had said enough to account in some degree for the money which had been expended. The fact was, that, in consequence of the system of improvement that had been followed for years past, the rental had nearly doubled. In 1805 it was only 23,000*l.*, and now it was 43,000*l.* He would ask whether this was not a pretty good return for the sums laid out. They were in fact an expense laid out advisedly, and on the recommendation of Mr. Harrison, a respectable surveyor, who viewed them in 1805. The effect of the system of draining, fencing, and enclosing, adopted from that period, had been, as he had already stated, to raise the rental from 23,000*l.* to 43,000*l.* a year. The hon. baronet stated, that the hospital had lost 9,000*l.* by its woods alone; but then it was to be considered that it had now 4,000 acres of plantation instead of 2,000; and this could not be effected without considerable present expense, though likely to be attended with future profit. The hon. baronet had said, that very large sums of money had been expended in of law charges. Admitting this to be true, they had been expended in the recovery of rights; and he thought he might state, without the least fear of contradiction, that there was hardly a contest in which the hospital had not been successful. The hon. baronet had said, that one of the receivers was perfectly unnecessary. It could be hardly possible, however, that a single one could be adequate to the discharge of the various duties; and he apprehended that the hon. baronet was not aware of the extent of the business to be transacted. But then it was stated, that this gentleman had been chosen merely on account of parliamentary interest. On the contrary, he had always heard that he was recommended by lord St. Vincent, and that he had discharged the duties of his office in the most beneficial manner. It was asserted, that a brother of the other receiver held a farm under Greenwich hospital:

but this farm was taken before the appointment, and therefore no favour could have been shown to him. The farms were always let to the highest bidder. From these circumstances, it would appear that the hon. baronet had made a most invidious statement. The sums which had been expended were no doubt very large; but they had been expended in what was conceived to be a very good speculation, and the propriety of the measure had been proved in all the re-lettings of the estate. Last year, a survey of the property had been made by some of the directors, who reported that they were perfectly satisfied. Conceiving, therefore, that there was not the slightest ground for the motion, he should certainly vote against it.

Sir *M. W. Ridley* thought there had been a very gross abuse of the rights and interests of the hospital. He would venture to state, that, with respect to the Greenwich hospital estates, and every other estate in the kingdom, land could not be let at the same price which it had produced last year. In common justice to the landed gentlemen of the county of Northumberland, he thought it right to say, that every one had found it necessary to make a reduction of his rental. In his opinion, the expenditure of the hospital in purchasing and enclosing land could never be repaid under any circumstances whatever. A select committee, however, would have an opportunity of inquiring into the revenue of the hospital, and of ascertaining whether the monies had been usefully laid out. He considered that the public interest would be much benefitted by the sale of the estates, and that no one step could lead to that measure but the report of a committee of that House. With respect to the individuals who had managed the estate, he would not offer a single observation against them: they might have lessened the revenue of the hospital, but he believed it had been from an erroneous idea, and not from any improper motives.

Mr. *Croker* said, there was but one point on which the two hon. baronets agreed, namely, that the estates of Greenwich hospital ought to be sold. In 1805 a committee had been appointed to inquire into the improvements that were recommended, and to form an estimate of the profits that might be expected to result in different years. It was calculated that, in 1813 and 1814, the expenses would be diminished, and the profits increased. In 1815, the income was very considerably improved, and although the rents of farms had fallen in almost every part of the country, yet, upon the whole rental of 43,000*l.* there would not be a defalcation of 1,500*l.* a year. This was a tolerably good proof that the estates had been well managed. In point of fact, the rent-roll had been doubled within the last eleven years. Under these circumstances, he thought the hon. baronet had not made out any case of misconduct against the directors of this estate.

Mr. *Gordon* said, that if the manager of an estate had not conducted it to the best advantage, it was a sufficient case to inquire into his conduct, although he had not received any bribe, or been influenced by any pecuniary motives.

Sir *M. W. Ridley* rose to explain. He did not attribute to the managers of the estate any unworthy motives, but he conceived that, under erroneous ideas, they had laid out more money on the estate than it could ever repay.

Sir *Charles Pole* said, that the directors seldom attended the court, and the property was not likely to be so well conducted as by being in the hands of those who had nothing else to do. He thought, however, that if this enormous estate were sold, the public would derive very considerable advantages. The expenses attending it were now more than quintuple what they were in 1815. By selling this estate, and the Golden Vale estate, in the island of Jamaica, the directors would have a large sum of money which they must every day stand in need of.

Sir *Joseph Yorke* could not conceive what reasons hon. gentlemen had for selling the estates belonging to the hospital. If the lands were sold, the hospital might as well, upon the same principle, be sold with it. With respect to the directors, of whom he had the honour to be one, the House might be assured that they were not of that vacillating description which had been conceived; there were some sturdy fellows among them who could and would attend to the interests of the public.

Sir *Charles Monk* briefly replied, when the House divided:

For the motion	34
Against it	93
Majority	59

HOUSE OF LORDS.

Friday, May 17.

UNCONSTITUTIONAL INTERFERENCE OF THE MILITARY.] The Marquis of *Buckingham* rose to submit his proposition on the subject of military obstructions in the streets—a subject which, he said, had certainly acquired very great importance from the manner in which it had been discussed by ministers. This was the first time, he believed, where there was an admitted breach of law, that it had been attempted to defend it on the ground of a want of a perfect or complete communication between the military and civil power. The defect, he apprehended, was not in the law as it at present stood, but in the want of power in the ministers to put it in execution. The noble secretary of state for the home department had said, that he would do all in his power to see the law put in execution in this very important instance, but had been obliged to confess that he had failed in his endeavours, from a want of due communication from the military authorities. What the feelings of the ministers were when they had recourse to that apology, for such he held it to be, he did not mean to consider; but the representation to the House and the country was this, that the noble secretary of state, the chief constable of Westminster, and the head of the police of the country, had been unable to execute the duties of that situation, because the military took possession of the business of the police without consulting him, or sending him any communication on the subject. It became their lordships, therefore, to interfere to restore the proper communication, and to support the ministers. The state of the case was briefly this: his noble friend (the earl of Essex) had been stopped in the streets by a sentinel, who had proceeded to acts of violence which amounted to a breach of the law. His noble friend had stated the circumstances to the House, and the noble viscount at the head of the home department had promised that he would take the proper steps to make the civil power act on these occasions, and that the military should only act as auxiliaries. He had been satisfied with that promise of the noble secretary of state: but the same ground of complaint had again occurred. The street was obstructed by the military; and his noble friend having asked where were the constables, was answered by the soldier, " we have nothing to do with constables here;" and in point of fact there were no constables in attendance. How had this happened? Was it because the noble viscount had not kept his word, or was it because he had found it impossible to remedy the evil? Was it because there was a power above the law, which in defiance of law called out the military to act as police officers, without any communication to, or control from, the ministers of the Crown or the civil power? He was sure the noble viscount had redeemed his pledge as far as depended on him; and therefore it became their lordships duty to find out what power it was above the law which thus acted in defiance of the law. He had always thought that for every such proceeding in this country there were public responsible ministers, but now the ministers of the Crown came down and said, " we are not responsible, because there is a defect of communication between the military and civil powers." The grounds of this apology were extraordinary in themselves, and particularly extraordinary considering the quarter from whence they came. Their lordships had been told by one minister, that though this was not strictly legal, yet the law must give way to public convenience. Such things might, indeed, pass for a time, until the grievance was felt; but the moment it was felt, the remedy ought to be applied. The argument, however, was, that the law must give way to public convenience, and the illustration was the precedent in Mr. Hastings's trial. What an illustration from the noble viscount, who had been Speaker of the House of Commons, and who must be so well acquainted with the usages and privileges of parliament! The illustration was taken from those cases in which directions were given, through the high steward, by the king, in the highest court of justice—the high court of parliament—for the military to assist the civil power in protecting the privileges of parliament—an illustration totally inapplicable to the present case. He remembered to have heard it stated, too, that if the thing was illegal, it mattered not much by whom the illegality was committed, whether by a man with a staff or a man with a sword; and as the sword was the better instrument of the two, the man with the sword would be the better officer. It was no slight proof of the bad spirit of the times, when a minister could thus speak of a mode of proceeding which set the military power above the civil. He had always considered that the military power could only act under the control of the civil power in this country, and therefore he preferred the man with the staff to the man with the sword in matters of police, because the man with the staff was the legal and constitutional officer—because he was sworn to keep the peace, while the man with the sword was sworn only to obey his officer—because the man with the staff acted at his own peril, and was himself responsible for any breach of the law, while the man with the sword was responsible only for his obedience to his officer's orders. There was no illegality in the man with the staff acting on these occasions in clearing the streets of nuisances. In every corporate town there was an authority to remove carts standing in the way, and to clear the streets of nuisances. It was perfectly justifiable by law to take steps to remove such nuisances. But then the military had been called in aid of the civil power to keep the access clear to the high court of parliament; and this was introduced as an illustration of the propriety of employing the military as police officers on such occasions as those from which the grounds of the late complaints had arisen. But why were the military called out on such occasions as those of Mr. Hastings's trial?—to defend the privileges of parliament, which were coeval with the common law, which existed before any statute law, and formed, in fact, a part of the common law of the land. But in the present instance the proceeding was, according to their own admissions, illegal; and ministers acknowledged that they were unable to remedy the defect. He now, therefore, only asked their lordships to enable them to complete the remedy; and for that purpose he would move an address to the Prince Regent to inform the House by what authority the military had been called out on the 13th instant, and what were the orders under which they acted. He knew the misrepresentations of his conduct which had gone abroad, as if he had been attacking the military, and holding them up as objects of jealousy and alarm to the country. None of their lordships could so far misunderstand or misrepresent his motives, his words, or his actions. No one could have a higher respect than he had for these gallant servants of their country. No one could feel more grateful to them for their most distinguished services: no one could regard them with greater admiration than he did. But his anxiety was, that in the internal affairs of the country the civil power should maintain that paramount situation which the constitution had assigned to it; and he was sorry to see that there appeared in some quarter a disposition to conduct every thing in a military way, in imitation of the practice of those countries where civil liberty was unknown. His motion was, that it appearing that on the 13th of this month the streets had been obstructed by the military, an humble address be presented to his royal highness the Prince Regent, praying that he would inform the House by whose orders they had been called out, and what was the nature of the orders under which they acted. He thought it right to state, that he had watched the conduct of the military yesterday, and he was happy to say that it appeared highly exemplary, and that the police officers had been in attendance. If, therefore, the noble viscount would assure the House that the power and control over the military on these occasions would be placed in the hands of ministers and the civil power, he should be ready to withdraw the motion.

Lord *Sidmouth* thought it right to recall to their lordships' recollection the circumstances of the case, before they decided on the motion now made. Some time ago a complaint had been made by the noble earl opposite, that he had been obstructed in passing along the streets by a soldier, who had accompanied the obstruction with acts of outrage. He had then stated it to be his opinion, that on all occasions where the military were called out, even for convenience, a competent number of civil officers ought to attend. It so happened that none were present on that occasion. He had stated, that the order for calling out the military had not originated with him, and that no communication had been made to the secretary of state, and he promised that he would take the proper steps to secure the attendance of civil officers on such occasions. The noble marquis had dignified him with the title of the chief constable or officer of police of Westminster; but the truth was, that a most diligent magistrate of Bow-street was the head of the Westminster police, and directions had been sent to him to cause civil officers to attend invariably on all such occasions. On the day previous to the occasion of the late royal marriage, directions to that effect had been sent, with an express statement that it was not to be considered as an order merely for that occasion, but for all occasions when the military were called out. He therefore had certainly done all that depended on him. But a few days after another instance of complaint on the same ground had occurred, and he had then stated that there was a defect of arrangement in this particular, because the secretary of state ought to be informed when the military were to be called out even for convenience. In cases of tumult it was clearly the duty of the secretary of state to suppress it by the civil power if possible, and to call for the aid of the military only in cases of necessity. On mere occasions of state, it would be admitted that he need not interfere; for instance, when the guards were called out to attend the sovereign: but when the military were called out for any other purpose, the secretary of state ought to be apprized of the intention, that he might remonstrate against it if he thought proper, or allow the military to act only as auxiliary to the civil power. He took no blame to himself for not having sooner made the proper arrangement on this subject. His attention was not called to it. He had examined the journals of parliament and the records of his office, and found no instance of any communication on these occasions. Such had been the practice—whether legal or not he had not stated. But he had said, that if it was illegal, the House of Lords had been guilty of that illegality in the instance of Mr. Hastings' trial. The House had applied on that occasion to have the guards called out as usual on such occasions, and the passage through Parliament-street was interdicted to all except members of parliament. It was not parliament, but the House of Lords, which, if it was illegal, had made the law give way to convenience. He acknowledged, however, that the paramount authority was the civil, and that the military ought only to be used in cases of necessity, or as auxiliary to the civil power in these matters of police. He admitted that there ought to be a public responsible person, and that the secretary of state ought to be consulted, but it had never been so. Now, however, when the subject had been brought before their lordships, he did say that some effectual arrangement ought to be made on this subject, so that on the one hand the subject should not be deprived of his just rights, and that a due attention should, on the other hand, be paid to the dignity and convenience of the sovereign. The noble marquis would use his discretion whether or not to withdraw his motion.

The Marquis of *Buckingham* was extremely happy to hear the declaration of the noble viscount, and thought himself not only justified in withdrawing his motion, but called upon to do so. He had searched the journals of parliament also, and he had not found that the military had been usually called out without the authority of the secretary of state.

The Earl of *Limerick* expressed his astonishment at the complaints which had been made at calling out the military, and the allegation on so insignificant a ground that it was a breach of the law. It had been usually done ever since he had been resident in this country, and was for the convenience of the subject. He believed it had been the constant practice ever since the Revolution, and the practice had naturally increased with the improvements in society. On occasions of drawing-rooms and levees, few comparatively attended in former times: but when such a crowd—he had almost said mob—went to court as they had seen yesterday, the most serious inconvenience must have been felt without the attendance of the military. The noble earl (Essex) had stated, that he had with a sort of Quixotic daring purposely put himself in the way of this obstruction.—[Cries of Order, order!]

The Earl of *Essex*. I stated no such thing.

The Earl of *Limerick*. Then a noble lord in another place made that statement [Order, order!]. He was not aware of being out of order, and would therefore sit down to hear what objection was made to what he had said.

The *Lord Chancellor* observed, that whether it had been stated or not in another place, the noble earl was certainly out of order in making the allusion.

The Earl of *Limerick*. Well, then, in 1806, a time not to be forgotten, there had been no complaints of this kind. It had about that period been asserted that not one of our soldiers could remain on the continent, except as a prisoner [Order, order!]. He insisted upon his being in order. And now when our soldiers had returned, after having accomplished the deliverance of Europe, it was said, that their appearance in the street to guard them, for the convenience of the public, was a breach of the law. The military, within his own knowledge, had behaved better than the constables. He had seen three footmen beaten confoundedly by the constables. Upon the whole, he thought the assistance of the military power proper and necessary, and that there was no ground whatever for calling for the interference of parliament.

The Earl of *Essex* denied that he had purposely put himself in the way of this obstruction, which was not of so insignificant a nature as the noble earl appeared to imagine. The outrage was such, that it manifestly roused the indignation of the people around; his horse was struck, and his life threatened by a soldier, and, if the noble earl had been present, he must have admitted the justice of the appeal made to parliament. He wished, however, to ask a question of the noble secretary of state, as to the manner in which the duty of the sole management and control upon these occasions was assigned to the home department? The orders upon the occasion alluded to came from the lord chamberlain; but he wished to know by whom the duty was assigned to the secretary of state for the home department?

Lord *Sidmouth* said, he had received the Prince Regent's commands to take this duty upon himself as secretary of state for the home department.

The Earl of *Essex* expressed himself satisfied.

The Earl of *Limerick* said, he had a high respect for the noble earl (Essex); he had alleged the insignificance of the question from the supposition, that the noble earl had stated his having gone on purpose to see whether he should be stopped.

Earl *Stanhope* begged leave to inform the noble marquis, that he could not withdraw his motion without the consent of every individual in the House, and he could not know whether he (earl Stanhope) intended to consent or not. A noble earl had talked about footmen having been confoundedly beaten; but his reason for consenting to let the noble marquis withdraw his motion was, because ministers had been confoundedly beaten [A laugh]. The noble viscount stated, that he had received the Prince Regent's commands on this constitutional subject, and that circumstance he considered a complete defeat of ministers. He was glad they were beaten, because it proved the truth of the old proverb,

> "A minister, a spaniel, and a walnut tree,
> "The more you beat them, they the better be."

The Earl of *Darnley* said, that after the satisfactory and manly declaration of the noble viscount, there was no occasion to persist in the motion. He himself had seen the military on the day when the lord mayor went up to court obstructing the streets for no useful purpose whatever, when there was no well-dressed mob, nor any mob. If this matter had not been brought forward, the abuse would have continued; and it was fortunate that the accident had happened to his noble friend, instead of happening to some obscure individual, with neither means nor inclination to bring it forward. The behaviour of the military yesterday had been exemplary, and indeed no one could meet in the streets any of those gallant men, with the tokens of their highly distinguished services, without feeling his heart swell with admiration. But the object was to check that disposition for military parade on every occasion which appeared to prevail in some quarters, and to employ for the internal services of the country, in matters of police, that sort of force which was best suited to the genius of the constitution.

The motion was then withdrawn.

BANK RESTRICTION BILL.] The Earl of *Liverpool*, in rising to move the order of the day for going into a committee on this bill, observed, that no difference of opinion could exist as to the impolicy of removing the restriction without the intervention of some further time to be allowed the bank for that purpose. In stating that he proposed to keep in view that the bank should resume cash payments, and at the earliest period consistent with the public interest, it was not sufficient to state that this was his opinion, but it was also recognised by the very preamble of the bill. He should now state the object and purpose of the bill, and the grounds on which he proposed, that if no new circumstances intervened, the bank at a limited period should resume cash payments. He had already stated, that without some further time being allowed, it would not be advisable to remove the restrictions. By the bill passed in 1803, the restrictions were to last during the war and six months after; that limitation was proper, because it was fitting that we should have the whole subject considered in the first six months after the war. But if the restrictions were necessary during the war, the first six months after the termination of it was of all periods the most improper for the resumption of cash payments. There was during that time such a revulsion in property, from the cessation of the great government expenditure, from the circumstance of commerce finding new vents, and leaving many of its old channels, as rendered such a period most critical and dangerous. The experience of every war proved the embarrassment consequent on a return from war to peace, and the experience of the most successful wars proved this in the greatest degree. There were persons now living, who recollected that on the peace of 1763 the greatest apprehensions were entertained, whether the finances of the country would be equal to the interest of the national debt. When any one considered the duration of the late war, the extensive establishments which had been kept up, the character of a war, which was directly aimed at the commerce of the country, they would not be surprised that the change should be accompanied by considerable embarrassment. But, looking to the evils as merely of a temporary nature, their lordships were bound to proceed with great caution on a subject so immediately connected with them as that now under their consideration. Considerable difference of opinion existed, whether the measure of 1797 had on the whole been productive of good or bad effects: on that subject he would not now give any opinion; but there was one disadvantage which he had always considered as resulting from the measure of 1797, namely, the difficulty of again returning to the old system. However, he had not the least difficulty in saying, that the bank ought to return to cash payments as soon as possible. He took the 5th of July 1818, in preference to a shorter period, because he was convinced that it would be more advantageous to the credit and interest of the country, and the interest of the bank, to consider at once what would be the first period when they could resume with safety their payments, than to enact a measure for a shorter period, with the intention of renewing it for another period. The wisest course for parliament to follow was, to endeavour to form a judgment of the period when the bank could with safety re-open their payments. From the enormous expenditure of the last five years of the war, nearly the whole specie of the country had been exported. Even at the times when he used all his efforts to induce their lordships to agree to that expenditure, as the only means to bring the country with safety out of the struggle, he never denied the effects it would have on the financial system, and internal affairs of the country. Many of the speculations published in the Report of the bullion committee had been completely falsified by events. The restoration of peace in 1814, and last year, had had the effect, by stopping the foreign expenditure, of bringing back the specie, even more rapidly than ever he had anticipated. But after so long a foreign expenditure, as that since 1808, it was not a favourable exchange of a few months, which would bring back things to their former level; this would require some considerable time. Any measure which could be adopted for forcing the bank to return prematurely to cash payments, would only have the effect of defeating its own purpose. They would go into the market with the greatest possible disadvantages, and in order to procure a sufficiency of specie to meet the expected demands, they would be obliged to take steps, which would counteract the circumstances operating beneficially in their favour. But what security, it might be asked, was there, that at the end of two years the resumption would take place? The security was in parliament's own hands. If parliament did not think fit to continue the restrictions, the bank were bound to resume their payments as a matter of course.

The Earl of *Lauderdale* thought, that if it were suggested to change 1818 to 1817, it would then be equally left to parliament to consider what might be necessary under any change of circumstances; but he could not confine himself to so narrow a view of the question. Notwithstanding all the noble earl had said as to this being a continuation of the old measure, he (lord Lauderdale) thought it completely distinct from any former measure on the subject. The noble lord knew the sensation that was at first excited when the measure was proposed only for six weeks; that it was then only by degrees carried on to the next session; finally, it was adopted as a war measure only; the present measure, therefore, was quite new in principle. The noble lord thought the first six months after a peace the worst period for resuming cash payments; and, certainly, at that time a great change must take place in the employment of capital; but this made the restriction ten times more dangerous. It was the shifting of property on such occasions that created the danger, and rendered it difficult to raise supplies; but if means were devised for the greatest possible shifting of property, none could be so effectual as the uncertainty of the circulating medium. As to the state of the exchange, all publications on the subject urged that this was the very moment most favourable for a resumption of payments. The price of bullion particularly justified such a measure, and the noble lord must excuse him if he called the present bill completely new in principle. The accommodation to the bank, so much insisted on, only showed that bargains were going on between the bank and government. The bank could never have advanced six millions if they had been compelled to pay in cash; and whenever they did expect to pay, the advantages to government were proportionally diminished. While these dealings were going on, it was a farce to say that the restriction would end in two years. Fifteen millions had been advanced altogether, and it was impossible for the bank to resume payment unless this sum were first repaid. Let any bank director be examined, and he would confess that the bank could not be open without having two-thirds in gold upon their whole advances—The noble lord proceeded to contend, that if proper measures were taken for restoring cash payments, six months would be as effectual as two years; but if the financial system which ministers proposed were followed, namely, that of advances from the bank to the government, twenty years would not be sufficient. The proposition now before the House, in his opinion, therefore, involved in it the most frightful consequences—nothing less than the indefinite continuance of a paper currency, not payable in money, and which left the country without any fixed standard of payments. Nothing could be more frightful than such fluctuation of our currency, especially in a mercantile country like this. The noble lord next assigned the reasons why, for years during the war, the people had not complained of the taxes that were annually imposed. For five years, from 1808 to 1813, new taxes were imposed to the amount of about a million yearly, and yet the people did not seem to feel them at all. Why were they so much at their ease under this apparently increasing load of taxation? The reason was, that the progressive depreciation of our currency made the sum total received into the exchequer less in real amount than it was in 1808, notwithstanding the perpetual addition of taxes. In illustration of this remark, the noble lord stated the amount of the different sums received into the exchequer during these years as compared with the price of bullion. The people did not complain of taxation, however immense in its apparent amount, because gold was at the rate of *5l. 7s.* per oz.; but when it fell to about *4l.* per oz., and when the bank-note, instead of being worth only *15s.* became worth *19s. 6d.*, then the pressure of taxation was felt, and the people complained most loudly. He contended that the necessary effect of this measure would again be to increase the issues of the bank. The country banks would also take advantage of it, and again inundate the country with their notes. Down would go the value of our paper currency, and the country would again bear the weight of taxation without complaint, because the effect would be to reduce the pound note again to *15s.* and the taxes would be reduced at least one-fourth of their value. In this way, he believed, the present bill would operate; and he would call upon the House to pause before they adopted a measure that would create such changes in the state of property, and in the relations between debtor and creditor. With this view he should propose that the duration of the bill should be fixed to the 5th of July, 1817, instead of the 5th of July, 1818, that parliament might have the earliest opportunity of amply discussing this most important subject. Another reason was, that he did not think that this permission to alter the currency of the country should be sold to the bank, in consideration of its pecuniary accommodations to the government. Had the noble lord any notion of the immense profits which the bank had made since the restriction was first imposed? In 1797 bank stock sold at 120 per cent.; since then it had risen to 260. Taking, therefore, their capital at 11 millions some odd hundred thousand pounds, here was a clear addition to the amount of about 17 millions. Besides which, the bank had divided, since the above period, 32 per cent. on their capital in the shape of bonuses, making about 3 millions more. They had also regularly paid the 10 per cent. of income tax on the dividends of the proprietors, which in itself amounted to no inconsiderable sum; so that, upon the whole, he estimated that, since the restriction of cash payments, they had gained a sum of 24 millions, or upwards of 200 per cent. on their original capital. Within these few years we had thus given them no less than 24 millions; and what he complained of was, that the same system which created this enormous shifting of property was still to be continued. Did the noble lord really believe that there would be a greater facility of returning to cash payments at the end of two years than there was at present. Would there not be much more difficulty when the pound note was reduced to 15*s.* in value, as would in all likelihood be the case, than now when it was worth 19*s.* 6*d.*? If the quantity of bank paper was increased, as he had endeavoured to show must necessarily be the effect of the proposed transactions between government and the bank, would not the noble lord have to lament that the operation of restoring cash payments was thrown entirely out of his power? In imitation, therefore, of the practice of Mr. Pitt, he would recommend that the duration of the act should be as short as possible. For it was observable, that while the restriction was only prolonged for six months at a time, or from year to year, the bank acted cautiously in their issues, and for years the difference in value between their paper and specie was scarcely perceptible: but the moment it was prolonged during the war, all restraint was thrown off, and their paper became speedily depreciated. The negociations going on with the bank, he asserted, were quite inconsistent with the preamble of the bill. That preamble stated it to be important that cash payments should be restored as speedily as possible, whereas the pecuniary accommodations from the bank would necessarily have the effect of postponing it to a distant and indefinite period. The truth was, that this bill took the currency of the country out of the hands of the noble lord, who was responsible to the country in his honour and character, and placed it in the hands of the twenty four bank directors, who were only responsible to their own constituents, whose interests were entirely distinct from those of the people at large. The noble earl concluded with moving that the words "July 5, 1817," should be inserted instead of "July 5, 1818."

The Earl of *Liverpool* shortly replied. He had already assigned the reasons why it appeared to him that a decided preference should be given to two years instead of one. The noble lord had admitted that the bank had conducted themselves very prudently for years after the restriction of cash payments. What, then, was the cause of the difference in value between their notes and coin which afterwards took place? He ascribed it not to an over issue of their paper, but to the immense drain of specie created by the successive campaigns in Portugal and Spain. When that foreign expenditure ceased to operate, we saw an immediate rise in the exchanges of the country, and the value of bank-paper rose with a rapidity that could hardly have been expected. Now, however, peace being restored, our foreign expenditure had ceased, and there was no reason to suppose, with the noble lord, that the same difference of value between bank-notes and specie would recur. This he thought a sufficient answer to the predictions of the noble lord. All he asked, therefore, was, time to enable the bank to prepare for the resumption of cash payments; not a few weeks, nor a few months, but a time that seemed in all human probability sufficient; for it was evident that, this country having been drained of its specie for years together, the favourable exchanges of a few months could not again restore it. There had already been a beginning of the remedy of the evil, but it must take some time to complete it. He thought that the course of events, far from confirming the doctrines of the bullion committee, as the noble lord imagined, had in fact overthrown them. That committee asserted, that the unfavourable state of the exchanges was occasioned by a superabundance of bank notes, and that even the return of peace would not remedy the evil. It was manifest, however, that on the cessation of our foreign expenditure the foreign exchanges had most rapidly improved. The policy of government was, that it was extremely desirable that the country should return to cash payments; and the only difference which on this point existed between him and the noble lord was with regard to the time. The noble lord said, that the bank directors would of course look to the interests of their own constituents. He agreed that they would naturally do so, and would assert that it was right they should. At the same time, as the bank derived considerable advantages, the government had a right to expect accommodations in return. He denied that the advances made by the bank would occasion any considerable difference in their capacity of returning to cash payments; but if they did, the bank had the remedy in their own hands, as they might demand repayment of the loans which they had advanced. In the latter case, it would be perfectly competent for parliament to resort to other measures.

The amendment was then put, and negatived without a division. The earl of Lauderdale next moved, that after the words "5th July, 1818," there be inserted the words "and no longer." The earl of Liverpool opposed this amendment, on the ground that enough was stated in the preamble to show that parliament was sensible of the importance of the bank resuming cash payments, and that any restrictive clause of this sort went only to deprive it of the exercise of its discretionary powers. The amendment was then negatived without a division, the remaining part of the bill went through the committee, and the House having resumed, the bill was reported without any amendment.

HOUSE OF COMMONS.

Friday, May 17.

Report from Select Committee on Seeds and Tobacco.] Mr. Frankland Lewis reported from the select committee appointed to examine into the policy of imposing an increased duty on the import of foreign seeds, and who were instructed to consider of the laws relative to woollen goods, and the trade in wool; and also to consider of the laws prohibiting the growth of tobacco in Great Britain; that they had further examined the matters to them referred; and had directed him to make a report thereof to the House, with several Resolutions thereupon. The report was read; and the resolutions of the committee are as follow:

1. "That it is the opinion of this committee, that any legislative interference which might affect the supply of linseed, clover seed, and smaller seeds, would not hold out such a prospect of relief to the agricultural interest as to induce the committee to recommend measures which they find likely, in some degree, to affect the manufacturing and commercial relations of the country; but that the committee are of opinion that the removal of the duties now levied on rape cake and linseed cake imported would have a beneficial effect upon the agriculture of the country, and tend materially to increase the quantity of grain for the supply of the home market.

2. "That it appears to this committee, that neither the soil nor the climate of this country are ill adapted to the cultivation of tobacco, but the difficulties which would attend the collection of a duty on tobacco grown at home, and the temptation which would be held out to defraud the revenue, so long as the present duties on tobacco imported continue to be levied, are such as to induce the committee to be of opinion that no alteration, under the present circumstances, should be made in the laws relating to tobacco."

Soap Excise Bill.] Lord *Milton* presented a petition from several soap manufacturers in the West Riding of Yorkshire, stating, that the additional duties on hard soap were extremely injurious to their interests. The noble lord moved, that the petition be brought up.

Sir *John Newport* said, he had conceived, that the soap duty bill, when introduced by the right hon. gentleman opposite, was merely a regulation bill, and not imposing an additional duty. He put it to the candour of the right hon. gentleman, whether the bill had not been represented as a regulation, merely, and deprecated so unfair a practice.

Mr. *Lushington* was unconscious of having represented the bill in the manner stated by the right hon. baronet. He, on the contrary, had distinctly stated that the bill imposed an additional duty.

Mr. *Ponsonby* observed, that if the right hon. member had stated the bill in that manner, no one in the House had heard him, except perhaps the few who sat immediately near him.

The *Speaker* said, that as the petition was directed against a tax bill, it could not be received according to the orders of the House, established for a century.

Lord *Lascelles* observed, that the bill affected the woollen manufacturers severely, as soft soap could seldom be used in their manufactures.

The *Chancellor of the Exchequer* said, that the effect of the bill would be of course considerably influenced by the drawback.

Mr. *Aston* conceived the measure partial, and injurious to the manufacturers.

Mr. *Barclay* expressed himself to the same effect, and recommended the postponement of the measure until the House could be enabled to give it the consideration its importance merited.

The *Chancellor of the Exchequer* said, that it should be postponed to Monday.

Lord *Milton* was extremely sorry that the petition could not be received, as the rejection of it must be injurious to the character of the House. He lamented that measures were at any time introduced in such a manner as could prevent petitions from being received against them. The measure in question was very injurious to the manufacturers of the country, and would press particularly severe on the lower orders of society. The petition was then rejected.

FINANCES OF THE COUNTRY.] Mr. *J. P. Grant*, referring to his motion on the state of the finances of the country, which he fixed for Wednesday next, stated, that some alteration would be necessary in the Resolutions which he meant to propose, as the chancellor of the exchequer had made a new statement with respect to the amount of the unappropriated part of the grant of last year. He would be obliged to the right hon. gentleman now to inform him of the amount of that surplus; after which, with the leave of the House, he should move that the resolutions which he meant to propose should be read *pro forma*, for the purpose of being printed before the debate on Wednesday.

The *Chancellor of the Exchequer* stated, that the amount of the unappropriated part of the grant of last year, which had at first been estimated at 3,000,000*l.* was now found to be about 5,000,000*l.* or 5,500,000*l.*

The resolutions were then read *pro forma*, and the debate upon them adjourned to Wednesday.

HOUSE OF COMMONS,

Monday, May 20.

THANKS OF THE HOUSE TO SIR GALBRAITH LOWRY COLE.] Lieutenant General the hon. sir Galbraith Lowry Cole, Knight Grand Cross of the most honourable Order of the Bath, being come to the House, Mr. Speaker acquainted him with the Resolutions of the House of the 3d of December 1812, of the 7th of July and 8th of November 1813, and of the 24th of March 1814, respecting his services in the battles of Salamanca and Vittoria, in the Pyrenees, and at Orthes; and

Mr. Speaker gave him the thanks of the House accordingly, as followeth:

"Lieutenant-general sir Lowry Cole; although the time which elapsed between the close of your service in the Peninsula, and your appearance in this House, would in ordinary cases have precluded me from delivering to you its thanks from this place, nevertheless, your distinguished name and actions have, in a manner highly honourable to you, induced this House to depart from its usual course; justly desirous that, in terminating such a war, no demonstration of its gratitude should be wanting towards those who have deserved it so well.

"Having acquired the early rudiments of your profession in foreign countries, reputed then the best schools of the military art, and having matured that knowledge by practical experience through various campaigns in Egypt, Italy, Portugal, and Spain, you first appeared amongst us to claim our thanks for your prompt and decisive conduct in the battle of Albuera.

"In that victorious army which re-established the thrones of our allies, though all were brave, yet, by the fortune of war, the skill and valour of some were rendered conspicuous above the rest; and the gallant fourth division was distinguished throughout, by the highest praises, for its enthusiastic courage and heroic devotion.

"Of that division, to which all eyes were turned in every battle, you, Sir, had the chief command; and your growing renown was well supported by many brave companions in arms, whose names will for ever live in our annals.

"So supported, and led on by the greatest captain of our times, you shared in each successive struggle and triumph which marked his progress, from the frontiers of Portugal, at Salamanca, at Vittoria, in the Pyrenees, and at Orthes, to the final establishment of his standard within the ancient provinces of France.

"For these numerous and splendid services, it is now my gratifying duty to deliver to you the thanks of your country; and I do now, therefore, in the name and by the command of the Commons of Great Britain and Ireland, in parliament assembled, deliver to you their unanimous thanks:—

'For your distinguished exertions in the battle of Salamanca, on the 22d of July 1812, which terminated in a glori-glorious and decisive victory over the enemy's army.'

"And also 'for your great exertions upon the 21st of June 1813, when the French army were completely defeated by the allied forces under the marquis of Wellington's command,' near Vittoria.

"And also 'for the valour, steadiness, and exertion, so successfully displayed by you, in repelling the repeated attacks made on the positions of our allied army by the whole French force, under the command of marshal Soult, between the 25th of July and the 1st of August 1813,' in the Pyrenees.

"And lastly, 'for your able and distinguished conduct throughout those operations which concluded with the entire defeat of the enemy at Orthes, on the 27th of February 1814, and the occupation of Bourdeau by the allied forces.'"

Upon which Lieut.-General Sir *Galbraith Lowry Cole* said,

"Sir; To be considered by the representatives of my country as deserving their thanks, has been, and will ever, I trust, be the chief ambition of my life; and gratified and flattered as I ought and do feel, Sir, by the very high honour which you have just communicated to me, no man is more sensible than myself what little intrinsic merit there is in obtaining credit under the eye of the duke of Wellington, and in command of such troops as composed the fourth division of the late army in the peninsula, whose enthusiastic gallantry (words used by his grace in his dispatches after the battle of the Pyrenees) at all times, and under any circumstance, during the last five years of that arduous war, deserved and obtained his grace's approbation, and to which I feel conscious I am principally indebted for the honour now conferred upon me by this House, and for my reputation as a soldier.

"If any thing can add to my sense of that honour, it is the flattering terms in which you, Sir, have been pleased to communicate it to me, and for which I beg to return you my most sincere thanks."

Thanks of the House to Lieutenant-General Sir Henry Clinton.]

Lieut.-general sir Henry Clinton, Knight Grand Cross of the most honourable Order of the Bath, being come to the House, Mr. Speaker acquainted him that the House had, upon the 23d day of June, in the last session of parliament, resolved, that the thanks of this House be given to him for his indefatigable zeal and exertions upon the 18th of June 1815, when the French army commanded by Buonaparté received a signal and complete defeat; and

Mr. Speaker gave him the Thanks of the House accordingly, as followeth:

"Lieutenant-General sir Henry Clinton; After serving through the long campaigns of the peninsular war, from Salamanca to Orthes and Thoulouse, there remained nothing for a soldier to desire, but to be present at the great battle of Waterloo; and if, in that terrible conflict, it were possible to select one spot more than another where our national military character was put to its fiercest trial, it must have been that where you were commanding, with Hougomont in your front, and directing or supporting the brave brigades of Byng, Maitland, and Adam.

"In estimating the services of that gallant army, this country has not contemplated alone the glory of a single day; they have looked to the toilsome marches and sharp combats which preceded it, and to the steady, skilful, and victorious march by which that army completed its success, and entered the enemy's capital. They have seen also, with a just exultation, that whilst British troops held the gates of Paris by right of conquest, their camp displayed at the same time a model of good order and well-regulated discipline, which even the conquered could not but applaud and admire.

"Your present stay amongst us we understand to be only for a short period. But on returning to your brethren in arms, let them be assured by you, that whenever their foreign service shall terminate, they will find that their great deeds have not been forgotten by us: and we trust, that on re-entering the metropolis of their native country, they will behold some lofty and durable monument, which shall commemorate to the latest ages, our never-ending gratitude to the armies who have fought for us, and the God who has delivered us.

"You, Sir, are the last of those distinguished officers to whom our thanks have remained undelivered; and I do now, in the name and by the command of the Commons of Great Britain and Ireland, in parliament assembled, deliver to you their unanimous thanks for your indefatigable zeal and exertions upon the 18th of June 1815, when the French army, commanded by Buonaparté, received a signal and complete defeat."

Upon which Lieut. general Sir *Henry Clinton* said;

"Mr. Speaker; I am extremely grateful to the House for the honour which has been conferred upon me by the vote of its thanks for my services in the battle of Waterloo, a reward to which you, Sir, so well know how to give the full value; and I wish to assure you, Sir, that I am fully sensible of the favour I have received at your hands.

"It is impossible for me to mention the name of Waterloo and not to feel an irresistible desire to join in the general voice of gratitude to the hero who commanded us, and in that of admiration of the extraordinary talents which he has so long and so usefully devoted to the service of his country.

"An army hastily drawn together, composed of the troops of various nations, and amongst which were counted several brigades of inexperienced militia, was the force which the duke of Wellington had to oppose to one of the most formidable and best-appointed armies which France ever produced. Every officer and soldier, I am persuaded, did his duty; but the duke of Wellington alone was capable of giving union to such a force. No other man living could have rendered the service he performed with an army so composed. His great name filled it with confidence; by his constant vigilance, his undaunted firmness, and the exertion of the greatest intrepidity and perseverance, he was able, throughout that well-contested day, to defeat every effort of a powerful and enterprising enemy, and ultimately to gain that victory by which he restored peace to Europe, and increased, to the impossibility of our ever acquitting it, his country's debt of gratitude."

Lord *Castlereagh*, after expressing his gratification at hearing the exploits which had led to the termination of war, and had raised the glory of the country so high, described in language so eloquent and so peculiar to the Chair, could not help entertaining a hope that this would be the last time such services would be required and such thanks returned, and that in future the blessings of universal peace would take the place of the glories of war. It would be a great satisfaction to the House to retain such addresses as those which had been spoken that night in their Journals. He was sure that he spoke the sense of the country, when he said, that it was impossible to find any where the glory of our arms so well described as in those brilliant displays of eloquence to which the House had just listened with so much delight [Hear, hear!]. He concluded by moving, "That what has been now said by Mr. Speaker, in giving the thanks of this House to lieutenant-general the hon. sir Galbraith Lowry Cole, and lieutenant-general sir Henry Clinton, together with their answers thereto, be printed in the votes of this day."

The motion was agreed to *nem. con.*

GAME LAWS.] Colonel *Wood* rose, to propose that the House should appoint a committee to consider the present state of the Game Laws, with a view of preventing the great increase of poaching, and its melancholy consequences. The hon. colonel proceeded to illustrate his view of this subject, by stating the recent case of the murder of colonel Berkeley's gamekeeper. The poachers, on that occasion, were between twenty and thirty in number, and all armed men, while the gamekeepers, who were employed for the preservation of game on the lands, had the humanity to enter the wood unarmed, and to use every effort to dissuade those poachers from persevering in their purpose. Every body was acquainted with the melancholy result—one man was killed and several wounded, besides those who suffered for the offence. This practice of poaching was not only formidable from its own immediate consequences, but also from the system of insubordination to which it necessarily led. The peasant, in the first instance, became habituated to dishonesty; it led him to nocturnal prowlings. He was up all night, and consequently could not work all day. He proceeded onwards from depredation to depredation; when game did not fall in his way, he plundered a sheepfold, and at length ended his life on a gallows. It was impossible to amend this vitiated system, unless some mode could be devised of preventing or regulating the sale of game. If there were no receivers, there would, of course, be no thieves; and it could not be concealed, that while many gentlemen, who occasionally came to town, were prosecuting poachers on their own estates, they were actually themselves, by their purchases of game for their tables in town, encouraging the theft. It was notorious that game was openly sold in the metropolis, and it would be in vain to punish the peasant, until the mode of sale could be checked. No man went out poaching who had not previously found a market for his spoils. The matter could, he was persuaded, be so regulated, that every gentleman's manor would be protected, and the public be legally and properly supplied with game. With this view he would move, "That a committee be appointed to take into consideration the laws relating to game, and that they do report their observations thereupon to the House:"

Mr. *Bankes* said, he saw no objection to the motion of the hon. member, as it now stood, though he differed from him in many of the principles which he had laid down. He hoped the result of going into a committee would lead to some system for the better preservation of game. The laws, indeed, as they now stood, were sufficient for that purpose, if they were adequately executed. The period of the session was somewhat late, and inconvenient for bringing forward a subject upon which it was likely a great variety of opinions would be entertained; but at the same time he should vote for the committee, for the reason he had already stated.

Lord *Castlereagh* suggested, that it would be better to waive any discussion upon the question until it had been considered in the committee, especially as there were several important subjects fixed for their consideration that night.

Mr. *Curwen* said, he should vote for the committee, but from views of the subject totally different to those entertained by the hon. mover. He wished to see the game laws so modified, that they might lose that character which he believed to be the great cause of the increase of poaching.

The motion was then carried, and a committee appointed.

Poor Bills.] Sir *Egerton Brydges*, in rising to move the discharge of his two orders for the Committee on the Poor Removal bill, and the committee on the Poor Relief bill, stated, that he was induced so to do solely in consequence of a communication from Mr. Curwen, member for Carlisle, who had given notice of a motion for a committee on the poor laws at large, and who was anxious that sir Egerton's bills should be suspended till the result of that committee was laid before the House.

Consolidation of the English and Irish Exchequers.] Mr. *Vesey Fitzgerald,* the chancellor of the exchequer of Ireland, having moved that the House should resolve itself into a committee of the whole House, on the 7th article of the Act of Union, and that the several accounts which had been presented, relative to the revenues of Ireland, together with the report of the committee of finance, should be referred to it, spoke as follows:

In calling upon the committee to fulfil the resolution which was entered into in the last session, I feel that I have not so much to apologize for having delayed, at an early period of the present session, to submit this subject to the consideration of parliament, as I have to excuse myself, perhaps, for having undertaken it at all. It is now too late to regret that I have done so—and it would have the appearance of affectation if I did. I am sensible of the motives and of the delicacy which have induced my right hon. friend (Mr. Vansittart) to abstain from originating the proceedings of this night; but I feel more than ever the magnitude of the question, the difficulties which surround it, and my own inability to present it to the House as I ought. Neither, Sir, is it easy to bring back the mind to topics such as those which I shall have to treat of, after the eloquent and affecting scene which the House has lately witnessed, or to subdue at once the high and excited feelings which such a scene gives birth to [Hear, hear!]. I am not sorry, therefore, that the short conversation which has just passed should have intervened.—I shall endeavour to recollect myself—and I confide in the indulgence of those whom I have to address. I have experienced that indulgence before, Sir, when I have had to bring subjects connected with the interests of my native country under the view of the House of Commons; and I know that the same disposition to consult those interests, which this parliament has so particularly manifested, will obtain for me, and for any long and complicated details with which I fear I may be obliged to trouble the committee, an attention which, I am conscious, my own imperfect statements would ill deserve. Not, Sir, that the interests of Ireland alone are involved in the decision which we shall be called upon to come to. I must not disguise from the committee how deeply the interests of every part of the empire must be affected by it.

The committee, Sir, will not desire of me to recite at length that article of the act of union which has been especially referred to its consideration; but I shall offer to you the opinion formed upon it by successive committees of finance, and the grounds upon which those opinions were formed by them. I am aware, Sir, that I shall have to combat the objections which an hon. gentleman (Mr. Bankes), a member of the last committee, felt, and which he will perhaps deem it his duty to re-urge this night. I earnestly hope, however, that the recommendations of so many persons, who entered with such minuteness and labour into the consideration of this article, will have with this committee a weight which, I am conscious, no recommendation of mine could have, when opposed to that of the hon. gentleman.

I am aware too, Sir, that I shall have to enter into a statement of the amount of contribution which Ireland has been required to pay since the union of both countries; an amount greater than could have been presumed at the time, when the ratio of that contribution was calculated; an amount greater than the authors of that calculation could have deemed it possible for her to provide. They could not have foreseen—who could have foreseen, a war of such duration, and of such expense, as that in which the empire has been since engaged, or the sacrifices of England while she waged it? But if I am compelled to show that the contribution imposed upon Ireland was greater than she ought to have been called upon to bear—that its weight has, in fact, accelerated the period at which parliament became competent to review the compact, let me not be supposed to contemplate, with different feelings from the House or the country, that measure which has been the source of our security, and the keystone of British power, which has made Ireland a sharer in your councils, and in the fame that you have acquired—which has made us "*Participes libertatis sceptrique Britanni*" [Hear, hear!]. No, Sir, if the necessity of reviewing the act of union has been produced by the sacrifices which Ireland has made to you, doing her best to keep pace with those which Britain made in the cause of humanity and of freedom; if I am able to show, that it is by those sacrifices that her debt has grown to its present magnitude, I should leave the question of to-night with fearless confidence to your decision, and the wisdom and justice of a British parliament.

When the contribution of Great Britain and Ireland towards the expenditure of the United Kingdom was fixed in the proportion of fifteen parts for Great Britain, and two for Ireland, the arrangement was made for twenty years from the time of the union, and at the end of that time the joint charges were to be defrayed in such proportion as the united parliament should deem reasonable, upon a comparison of the average value of the exports and imports of the respective countries, or upon a comparison of the value of the principal articles of consumption in both. There was another scale of estimate which has never been afforded, though contemplated by the act of union, namely a general tax, if such should have heen imposed, on the same descriptions of income in both countries, at the end of such period and proceeding on these data, parliament is empowered to revise the scale of contribution, unless it should have in the intermediate time declared, what under certain contingencies only it could declare, that with such exemptions in favour of Ireland and Scotland, as circumstances might appear to demand, the expenditure of the empire should be defrayed indiscriminately by equal taxes imposed on the like articles in both parts of the United Kingdom. But, Sir, whether that contingency has arisen, and whether the necessity for exercising the power which the act confers has arisen also, I am now to show.

It is provided by the same article of the act of union, that if at any future day the separate debts of each country shall have been liquidated, or if the values of the respective debts, estimated according to their annual interests and sinking funds, shall bear the same proportion with the respective contribution of each country, and if it shall appear (making allowance for a small variation in the said value) that the circumstances of the two countries will admit of their contributing indiscriminately, and by equal taxes, to the general expenditure, it shall be competent to parliament to declare, that all future expense, together with the interest and charges on all joint debts contracted previous to such declaration, shall be defrayed indiscriminately by equal taxes, subject to the exemptions and abatements which I have before stated, as provided for in the antecedent part of the said article.

The committee of finance appointed in the year 1811, of which my right hon. friend (Mr. Vansittart) was chairman, and who were the first who, in fact, ascertained the principle on which the account of joint contribution was to be taken, were the first also who called the attention of parliament to this important article. The increase in the debt of Ireland had been so much more rapid than that of Great Britain, that they directed calculations to be made of the proportions of the value of both, with a view of bringing the subject under the notice of parliament. According to their report, Sir, the actual value, estimated according to the current prices of the public funds of that day, was in the proportion of nearly two to fifteen. If valued as annuities, the proportions were nearly the same, on the supposition of the debt being redeemed at equal rates of interest in each country. These values were altered in some degree by the addition of stock created in the same year, and by the omission of the Irish unfunded debt; but the committee concurred in reporting generally, that the values of the respective debts in the different ways in which they had directed them to be taken, varied little from the proportion which the act of union had prescribed; the variation was in fact at that period very inconsiderable.

In the following year, Sir, the accounts not being sufficiently complete, the inquiry was retarded, and a fatal event—the death of Mr. Perceval—interrupted the proceedings of the committee when they were on the point of being resumed. The committee was revived in 1813, but contented itself with ascertaining the joint account, and reporting on the increase of the several branches of the revenue. The committee of 1815 gave to the whole of the subject the most anxious attention; the detailed report of their opinion is that which I shall now press upon your attention. At that time, Sir, the excess of Irish debt was great above the union proportion.

I will not now advert to the effect which the cancelling of stock in England had upon the debt and sinking fund of this country—that may belong to another branch of this subject; but it appeared, that the total amount of the public funded debt of Ireland was, on the 5th of January 1815, 127,865,000*l.* and deducting that purchased by the commissioners for the redemption of the national debt, there remained on that day a funded debt of 105,000,000*l.* The sinking fund then applicable, Sir, was 2,087,000*l.*, and the whole charge of interest on the funded debt, unexpired annuities, and sinking fund, was 5,900,000*l.* This was exclusive of the charge of 4,500,000*l.* raised in 1811, for which provision has hitherto been made by Great Britain. On the calculation made in the last year, but including the unfunded debt as well as the 4,500,000*l.* which I have just mentioned, the proportions were found to be at about 2 to 13. Parliament, Sir, will not be governed, I am aware, by the opinion of a delegated body of its own members, but your committee, interpreting this article, with reference to what must have been in the contemplation of both parliaments when the act of union was framed, with reference to the whole spirit and context of the act, were decidedly of opinion, that the legislature having acquired the right of consolidating the debts and expenditures of the two countries, retained that right, although the debt had passed the proportion to that of Great Britain of 2 to 15, as fully as if that right had been acted upon at the precise moment when the report of 1811 had ascertained their approximation to within 100th part of the larger of such debts. It will be found in the papers on your table, copies of which I believe have been put into the hands of members in a printed form, that the values of the funded and unfunded debts of Great Britain and Ireland, on the first of February last, were as follows:—

At 5 per cent. as 2 to 12-65
At 4 per cent. as 2 to 12-41
At 3 per cent. as 2 to 12-19

The proportions are about the same, if estimated at the current prices of stock in the last week. I beg to observe, that the loan of 1811, which I stated as remaining unprovided for, is included in this calculation. The committee will see the extent of the variation since that period, when the consolidation of the debts and exchequers, were so earnestly recommended to the House.

Not only because I am upon this branch of the subject, but that I may adhere to that order, which the reports on your table have observed, I shall state the amount, first, of the funded debt of Ireland on the 5th of January, 1816, then the unfunded debt, with the total charge. I shall then, Sir, recapitulate the principal branches of our permanent revenue, under the heads of customs, excise, inland taxes (which though managed by the same board, it will be more convenient to take separate), stamps, together with the post-office, and other casual revenues. Without occupying much of the time of the committee, with details of expenditure, or accounts of the progress of our revenue, or the improvement of our internal resources, it is due to Ireland to state what have been the exertions she has made, and how great the contributions she has paid. The revenue of customs, notwithstanding the depression in the last year, when the consumption of British produce was so greatly diminished, was yet greater than in preceding years: it may be curious to trace the progress of this revenue in Ireland. Our earliest official records of trade were of the year 1698; the gross produce then was only 183,000*l.* In the next half century, the produce was not quite doubled, but it more than doubled in the fifty years following, the produce being in the year 1797, 847,000*l.*, thus in one hundred years, the customs had increased fourfold, but the produce in the year 1815, was 2,681,000*l.*, so that in the last eighteen years, the whole amount had more than trebled the fourfold increase in the last hundred years; and since the union, it is to be observed, that of this revenue, the most part was collected on foreign merchandise imported, as that act prevented any alteration on the rates of British manufacture for twenty years: thus precluding the state from making an import of at least four millions value, available in a financial point of view. Some branches of this import would have been very productive indeed. And it is a circumstance, narrowing, as it does, his available means, which should always be held in mind, when an Irish minister is called upon for revenue on articles of consumption. In the year 1815, the per centage duty on exports was reduced; notwithstanding which, the customs in the last year exceeded the preceding year in the amount of 208,000*l.*, the increase arose on wood, which produced 123,000*l.*, and on wines and tobacco, which produced 100,000*l.* The increase on these articles was owing to that act, which I had the honour to propose, by which our permanent duties were brought up to the British rate. Had it not been for the depressed state of the agriculture of Ireland in the last year, and the consequent internal distress, I have no doubt the customs revenue would have been much higher. It will be invariably found that a decrease of revenue on the import of British manufactures, is the result of a diminished export of corn and provisions from Ireland. It is, indeed, an obvious and inevitable result. The real value of corn and provisions exported in the year 1815, was 1,400,000*l.* less than the year before, the decrease in British manufacture imported was to the amount of 1,000,000*l.*, and the loss to the revenue, more than 100,000*l.* The duty on woollens alone, fell off 36,000*l.*

I have entered, Sir, into this detail, because I am sure it will be satisfactory to the committee to learn, that no decrease has taken place in any of those articles upon which I deemed it my duty to propose new or additional imposts, and because, while we contemplate the growth of our resources during the last twenty years, and an amount of revenue higher than ever before produced, we may expect that by the encouragement afforded to our agriculture, and the markets given to our produce, as well as by the general improvement in the collection of our revenue, that revenue may be made to correspond still nearer with the expenses of the state. The measures which parliament has lately taken are eminently calculated to improve our natural resources. In these instances your liberality has been wisdom. In the last year the export of corn of all sorts was 1,512,000 barrels. In 1813, the year of our greatest export, it amounted to 2,100,000 barrels; but I anticipate sanguinely the operation of that bill which affords to the agriculture of Ireland the best encouragement, and insures to England her independence of foreign supply. It is satisfactory to know, too, that the prices of grain are gradually advancing; nor should the Irish grower be discouraged, as the shipments since the 5th of January last, have amounted to more than half a million of barrels. Of linens, our peculiar manufacture, and almost the exclusive source of the wealth of the northern province, the export of 1815 was greater than that of any year since 1803. The year 1795 was distinguished by the greatest export we had ever sent out: it amounted then to forty-six million yards. In the last year it was forty-three million three hundred and eighty-three thousand yards. I know it has been asserted that there was a decrease of ten million yards. I know not how the comparison has been made: I speak from facts and from the account on the table of the House. There were also exported of Irish cotton one million seven hundred thousand yards, valued at 86,000*l.*; we had not before exported them to any extent, but several manufactories have been recently established in the north of Ireland, and on an average of the three years preceding the union, compared with the three last years, the increase in cotton wool and yarn imported will be seen. The quantity of cotton yarn has been doubled since the union. I have satisfaction, Sir, in mentioning this, because at the time of the union the ruin of this manufacture was supposed to be at hand, and much evidence was produced before the Irish House of Commons to show that it could not withstand English competition. The export of butter, another great source of our wealth, has been progressively increasing. The real value of the export in 1793 was 840,000*l.*; in the last year the value of the quantity exported was 2,271,000*l.*, although the price had fallen greatly in the latter year; and I doubt not that the additional protection afforded in the present session of parliament will be of infinite importance to us: in giving this view of our duties of customs and of the principal articles of our exports, I am anxious to afford to parliament as accurate a statement as I can of this portion of our revenue, and of our national resources [Hear, hear!].

The duties of excise have been particularly productive; first, with respect to spirits, from regulations adopted by parliament in the session of 1813 and 1814; the revenue on spirits alone, in the latter year, amounted to 1,575,000*l.*, being an increase beyond the preceding year of 762,478*l.*; and the average increase in the revenue from spirits, in the last four years, was over 1811 328,000*l.* I shall not now, Sir, with this question, consider that of a reduction of duty, which many persons have urged; I shall merely observe, that in 1810 the duty was 2*s.* 6*d.* the gallon, and that the excess of produce in the year 1815 (though not so great as the year 1814) was 736,000*l.* above the year 1810. The average increased produce of the malt duty in Ireland in the last three years amounts to 245,000*l.*; the entire amount of the revenue produced from malt in 1812 was 304,000*l.* In 1813 it amounted to 533,000*l.*, and in the last year to 655,000*l.* I must in candour, however, remind the committee, that we cannot hope for a continuance of a produce so great as this, since that portion of the duty has been repealed which corresponded with the war duty in Great Britain. The excise duty on tobacco yielded in the last year 560,000*l.*, exclusive of the duty of customs of 242,000*l.*, making the whole revenue from tobacco 800,000*l.* I need not advert to the other minor branches of excise, they are inconsiderable in produce, being altogether much under 100,000*l.*

In the branch of assessed taxes there have been two augmentations made by parliament within the last three years, the first of 25 per cent., and by the second, all our existing rates were assimilated to those of Great Britain. The produce in 1812 was 342,000*l.*; in the last year 681,000*l.*: this has been owing, not alone to the duties being raised, but to the improvement of the collection, and from the manner in which the assessments have been made: I anticipate this year a still greater produce. In the last three years the increase, as compared with 1812, has been 339,000*l.* per annum. The above is exclusive of hearth duty. The committee are aware that a bill is now in progress for relieving particular descriptions of houses from the latter duty, as well as from the house tax; parliament thus marking its disposition in favour of the lower orders of our numerous population, who will be, if those bills are sanctioned by the legislature, freed from the payment of all direct taxes to the state.

The net produce of stamp duties in the year 1816, was 560,000*l.* exclusive, it is to be observed, of the duty on spirits and excise licences, which have been transferred to the excise department. The stamp duties were raised in the last session, and I estimated the annual increase at 45,000*l.*; the last six months of the year yielded an increase of 56,000*l.* Bills are now in progress consolidating the laws relating to stamp duties, and I anticipate, particularly from the regulations enforced in the offices of courts of justice, a more beneficial result than from any increase of duties—the checks adopted have already been found most effectual, and I may here take occasion to mention, that if the separate administration of the finances of Ireland should now terminate, I shall endeavour, as it is my duty, to leave as little trouble and labour as I can for my right hon. friend in the way of legislation as acts have either passed, or are now passing through this House, digesting and consolidating the laws affecting the great branches of our revenue [Hear, hear!]. The post-office, and the other casual sources of our public income, I may average as producing 130,000*l.* a year. To the first I have never looked as merely a productive source, but as the means of great general accommodation and improvement; and it has been, particularly since the union, made essentially subservient to those purposes. To recapitulate the whole, Sir, the gross produce of the revenue of Ireland in the last year was upwards of seven millions, and I state the gross produce, because the expenses of management being a part of the joint charge, the sum of 7,000,000*l.* is what we have available for debt and contribution.

There is but one other point, Sir, to which I desire to call the attention of the committee, the state of the sinking fund of Ireland, as compared with our unredeemed debt, and as contrasted with the sinking fund applicable to the redemption of the debt of Great Britain; I compare them, because it will show that the sinking fund of Ireland being so much richer than the British sinking fund, England would be in the same proportion benefited by that union of sinking funds which would follow the consolidation of debts. The income of the sinking fund of Ireland, applicable to the redemption of the debt in Ireland, is 736,000*l.* being as 1 to 35¾; that which is applicable to the redemption of Irish debt in England, is 1,665,000*l.* being as 1 to 56¼, both our sinking funds making a total of 2,401,000*l.*, or as 1 to 50 on the whole debt of Ireland, while the sinking fund of Great Britain, affected as it has been by the operation of the late acts, is as 1 to 62⅝. Although, Sir, I shall find it necessary to propose to parliament the cancelling a certain portion of stock in the hands of the commissioners of the national debt in Ireland, as a provision for the interest of the treasury bills to be issued for the service of Ireland in this year, the sum required, if parliament should approve of that proposition, will be so small, as not materially to affect the general state of our sinking fund. Until after my right hon. friend shall have stated the finances of the year, and given us a general view of the public expenditure, I cannot accurately ascertain the amount of contribution to be provided. Our sinking fund will still be richer than that with which it is to be united. It is to be remembered, that we have never recurred to it, until we had exhausted taxation; and I may venture to promise that the utmost sum which we can want will still leave our sinking fund, as compared with the whole of our debt, as 1 to less than 54, while that of Great Britain will be as 1 to 62. The proportion, it will be seen, is greatly in our favour, nor are those considerations to be lightly thought of. I remember, my right hon. friend last year stated, what at that time seemed to make a great impression on the House, that the sinking fund of Ireland was then double what the sinking fund of Great Britain was at the commencement of the war of the French revolution, while the debt of Ireland, great as it was, was not half so great as the debt of Great Britain was at that period.

Before I left the subject of our revenues I ought to have adverted to those heads of taxation which England has adopted, and which have not yet been tried in Ireland; they are not many, nor would they be productive—not productive at least to the extent upon which gentlemen may have calculated. We must take into account the diminution upon some of our existing branches—in those of licences and hearth-money alone you would lose more than 200,000*l.* annually, for parliament must bear in mind that vital enactment of the union which prevents your levying a tax on any article higher than that levied in Great Britain. I have myself always considered that the continuance of the hearth duty was only to be defended on account of our exemption from the house duty paid in Great Britain. Besides the house duty, the other taxes which we have not are all in the excise; the principal one, that on beer, upon moral and political grounds, I should extremely regret to see introduced in Ireland. In a word, all that we could yield to you would be inadequate to defray, not our separate contribution, as the act of union has imposed it upon us, but even that deficiency which our nett revenue exhibits, inadequate as it is to meet the annual charge of the interest of our debt. I say nothing of the charge which this year will add, while that revenue has lost so great a portion as the repeal of the malt duty will deduct from it. Besides, Sir, the duties on articles of British growth and manufacture, yield more than half a million. It will be for the legislature to consider whether the *ad valorem* duty of ten per cent. can be continued after the internal taxes of both countries shall have been equalised. What are they, in fact, but a tax upon the consumption of our people—they are paid upon every article that he either uses or wears, by the inhabitants of that country which is least able to pay. I know, Sir, that for twenty years the act of union has continued them —not for the sake of the revenue, but under what I deem a manifest error, the principle of protecting duties; as if such duties upon British industry were the means of sustaining or improving ours; or as if deducting ten per cent. from Irish capital, was not impairing materially those means which were wanting, to apply to the improvement of other objects more suited to our people, our industry, and our soil [Hear, hear!]. I have not willingly adventured, Sir, into the discussion of a point, upon which I know political economists have differed, and upon which great misconception, if I may presume to call it so, exists in Ireland, as well as in other countries. I have alluded to it now, merely as connected with the prospects of our future revenue. For the same period of twenty years, we are precluded from touching the great articles of salt and coals, and I am glad that we have been: it is very questionable how far the first ought to be made more a source of revenue than it is, and connected as the consideration must be with the revenue drawn from salt in this country, it is a subject which will call for all the experience and judgment of my right hon. friend. It has been my duty, in candour, to remind the House, that there is this great and productive branch of revenue comparatively untouched. I am sure I shall not be suspected of keeping out of view any part of our future resources. I should deprecate, perhaps, Sir, any great augmentation of the duty on coals; the effect of it on our manufactures, as well as on the comforts of the people, who have no internal supply, would be severely felt, but it is my duty also to prevent this subject, any more than the other, from being unnoticed by the House.

I should have wished, Sir, to have connected with the arrangements to be proposed to parliament, the great subjects of the assimilation of our currency, and the state of the exchanges which now exist, it would seem unreasonably, between two parts of the same kingdom. I know, Sir, that its present rate is owing to that diminution of our native exports, and of their value, which affected us in the last year; and I fear very much, that when we come to remit any considerable portion of our revenue, to meet those charges which have hitherto been defrayed by loans raised in this country, the evil will be much aggravated. I call it an evil, Sir, although it does operate indirectly as some separate benefit to us. It does not reconcile me to it that it acts as a bounty on our exports, or even, what is better still, as being a tax upon absentees, that it keeps some portion at least of our gentry resident at home. If, Sir, an assimilation of our currency could be accomplished, and that restriction on bank payments, both in England and in Ireland, were removed, the exchange at once corrects itself. I wish not to embarrass the arrangement, by any attempt to unite the banks of England and Ireland; I know the objections that would be felt on both sides of the water, but I should hope, that whenever the restriction from the bank is removed, an assimilation of the currency may be concurrent with it. Really, Sir, the difficulty is not so great as some suppose; still less would the loss be than what the people of Ireland think. It will not occupy the committee a single moment, if I just state how I think it might be effected. Might we not pass an act, providing that all existing contracts should be considered as discharged if paid one-thirteenth less of nominal value than they had been contracted for? It would affect the reality of no engagements except those under twelve-pence, and it would affect them only to the extent of one-thirteenth. Even this slight variation would be beneficial to the poor, and those who receive in small sums. I beg pardon —there is one other class, namely, the officers of the courts of law, who would be benefited; for if, as an hon. and learned friend of mine stated the other night, their profits are made up of fees under a shilling, they would have reason to be glad of this assimilation of currency; but, to be serious, I really think there would be no difficulty in it, if the measure were fairly explained to the country. As to the difference of our rates of interest, I shall make no observation now; the laws under which it is regulated in Great Britain are to be shortly brought before the House, which will give a more favourable opportunity of noticing the difference which exists on that subject also.

I have endeavoured, Sir, to present to the committee such information as I have been able to furnish; I may have perhaps gone too much into detail; but it has been necessary, as the ground of that proceeding which alone remains for us to take. I have stated to you the opinion of successive committees of your own body, recommending that parliament should exercise that power which the act of union has reserved to it; and indeed it appears now to me that there is no alternative. I hope it will not be said to-night, Sir, that Ireland has thrown a great additional burthen on the rest of the empire to save herself. Oh no, believe me, in her exertions she has not been backward. You contracted with her for an expenditure which she could not meet—your own share of which you could not meet but by sacrifices unexampled—by exertions the tension of which only England could have borne. Ireland had been led to hope that her expenditure would have been less than before she was united with you. In the fifteen years preceding the union it amounted to 41,000,000*l.* but in the fifteen years of union it swelled to the enormous size of 148,000,000*l.* The increase of her revenue would have more than discharged, without the aid of loans, an expenditure greater than that of the fifteen years which preceded 1801. Ireland has absolutely paid in taxes more than 78 millions being 47 millions more than her revenue in the 15 years upon which her contribution had been calculated [Hear, hear!]. Your own committee showed you what an advance in permanent taxation Ireland had made, even greater in proportion to former revenues than that of Great Britain herself, notwithstanding the immense exertions of the latter, and including her extraordinary and war taxes.

If, Sir, I have shown, that the collection of the revenue has improved in latter years, and that even under the pressure of the times its produce has increased, let me not be supposed to arrogate any merit to myself—much more is owing to the zeal and industry of those departments to whom the administration of it has been more particularly committed; for myself, if any thing could add to the authority which I am conscious that I derived a share of from the confidence of parliament, and the support that this House has given to the measures which it has been my duty to propose, I owe it to those noble persons who have presided over the Irish government, and to him particularly who has now administered the affairs of that country for the greater part of the time that I had held my present office [Hear, hear!]. He has never in any one instance considered that power, or those appointments which were vested in him, but as trusts for the benefit of the revenue in all its branches. To the noble lord I owe this testimony. There is another debt, Sir, which I shall not attempt to pay; it is to the friendship and co-operation of him with whom I have been united in office since our first entry into public life, but I cannot express all that I feel with respect to him, I could not even, if he were not present, express it [Hear, hear!]. I can say no more upon this subject; I have almost said too much: I shall put the Resolutions which I have to move, into your hand, doubting not, that the committee will adopt them—that we shall this night contribute to the accomplishment of that great measure, the accomplishment of that union, which is the proudest monument of his reign, who for more than fifty years has swayed the sceptre of these free and powerful kingdoms. Not doubting that a united parliament will remember what it owes to that people, who have contributed so mainly to those glories, which have brightened the administration of his son [Hear, hear!]. Sir, these days will pass away, but I trust that the principles of generosity and justice, which are congenial to both our people, may, like that great compact which unites them, be perpetuated by our acts, and that the interests of Great Britain and Ireland may be inseparable.

> Dum Domus Æneæ Capitoli immoblile saxum,
> Accolet Imperiumque pater Romanus habebit.

The right hon. gentleman concluded his speech, amidst loud cheers from both sides of the House, with moving the three following Resolutions:—

"1. That it is the opinion of this committee, that the values of the respective debts of Great Britain and Ireland (estimated according to the provisions of the acts for the union of Great Britain and Ireland) have been, at a period subsequent to the said acts, in the same proportion to each other (within one hundredth part of the said value), with the respective contributions of each country respectively, towards the annual expenditure of the United Kingdom; and that the respective circumstances of the two countries will henceforth admit of their contributing indiscriminately, by equal taxes imposed on the same articles in each, to the future expenditure of the United Kingdom: subject only to such particular exemptions or abatements in Ireland, and in that part of Great Britain called Scotland, as circumstances may appear from time to time to demand; and that it was no longer necessary to regulate the contribution of the two countries towards the future expenditure of the United Kingdom, according to any specific proportions, or according to the rules prescribed by the said acts of union, with respect to such specific proportions.

"2. That it is the opinion of this committee, that it is expedient that all future expenses henceforth to be incurred, together with the interest and charges of all debts hitherto contracted, shall be so defrayed indiscriminately by equal taxes, to be imposed on the same articles in each country, and that from time to time, as circumstances may require, such taxes should be imposed and applied accordingly, subject only to such particular exemptions or abatements in Ireland, and in that part of Great Britain called Scotland, as circumstances may appear from time to time to demand.

"3. That it is the opinion of this committee, that such legislative measures should be adopted as may be necessary to carry into further effect the purposes of the said acts of union, by consolidating the public revenues of Great Britain and Ireland into one fund, and applying the same to the general services of the United Kingdom."

Mr. *Bankes* said, that he had never undervalued the efforts of Ireland in the common cause, and that he should be glad of any measure which might render the burthens of that country more equal to her means of supporting them: but he could not be very friendly to a proposition, the ultimate effect of which must be to throw almost the whole of the burthen of the late war on Great Britain. He alluded to the various predictions he had made respecting the inevitable defalcations which would arise in the Irish revenue; and contended, that all he had said had been verified by facts and the experience of time. He had said that Ireland had not kept up to the bargain that had been entered into, but had been receding every year. What was proposed was a most extraordinary cure, and perhaps the only one that could be resorted to. But it was a perverse interpretation which the right hon. gentleman had given of the act of union, to assume, that because it might be competent to him in 1816 to make this proposition, it would have been equally so in 1811 or 1812. If this were the best way of meeting the difficulties of Ireland, let it be adopted; but let it be understood that Ireland must depend for some years to come on loans alone for the whole expenses of the peace establishment, as they could not possibly be defrayed by taxes. This was indeed a melancholy and deplorable state of things, as the event must tend to plunge Ireland still deeper into debt. But this fact, coupled with all that had transpired concerning our situation, ought to induce ministers to turn their minds to measures of the strictest economy and retrenchment; and he could not refrain from pressing once more on the House, how necessary it was to reduce our establishments. Adverting to what the right hon. gentleman had said respecting an assimilation of the currency, he contended, that so far from being a cure for evil, the measure would not even be beneficial. Respecting the alteration in the salt duties, he observed, that this would be of little avail; for many parts of the laws relating to the revenue, nay, he might say almost the whole of them, required revising and entirely re-modelling; for the state of peace had placed things in such an unnatural situation, that it would be impossible to maintain these laws on the footing on which they had flourished during the most extraordinary war that had been concluded. The confusion created by the distillation laws, both in England and Scotland, proved the necessity of their being revised and altered, and the sooner the attention of his right honourable friend, the chancellor of the exchequer was turned to this subject the better. He objected to the first Resolution, and added, that he felt it his duty to watch over the provisions of the bill in question, though he was far from suspecting, that any thing improper was intended to be introduced into it; but he wished to take care that there might be something like restitution and reciprocity provided for, when the revenues of Ireland should be restored to a flourishing state; which he hoped and predicted they would be, when the internal dissensions and other causes that had depressed them, should be put an end to. Every thing showed, that though the exertions of Ireland had been great, they had not been effectual; he was in doubt whether this was the time for the consolidation of the two exchequers, and he also doubted whether his right hon. friend would be able to introduce any system of taxation, which would enable the taxes to be collected at a cheaper rate. On the whole, he was sorry to find that a great deal of what he had foretold had come to pass; and it was incumbent on ministers to relieve us from the burthen, we should have to bear, as soon as they could. He concluded with an eulogium on Mr. Fitzgerald's public conduct. The right hon. gentleman had disclaimed a merit to which he was fully entitled. He considered him as deserving the thanks of the House, and of his country, for his financial administration. [Hear, hear!]. He should consider his retirement as a great public loss If the affairs of Ireland had been conducted with signal success, it was owing to the exertions of the chancellor of the exchequer of that country [Hear!].

Mr. *Fitzgerald*, in explanation, observed that he had not supposed the assimilation of the currency of Ireland and England would alone produce any effectual difference in the rate of exchange between the two countries, which must always be proportioned to the state of their respective balances of imports or exports. He did think, however, that by the assimilation of the currency, much of the difficulty heretofore arising from the dissimilarity of coin would be avoided, and much of the apparent difference of exchange would be obviated.

Mr. *Leslie Foster* observed, that there were two enactments of the act of union, which deserved the most serious attention of the committee. The first was that which provided, that the expenses of Ireland should not depend in any degree on her own discretion, or be determined by her local occasion; but that it should be measured by a certain proportion (two-seventeenths) of the expenses of the united empire. The second enactment related to the limits between which the chancellor of the exchequer for Ireland was to exercise his ingenuity to raise the means by which the contribution of Ireland to the general expenditure was to be paid. In order to show how great had been the efforts of Ireland since the union, he had only to state that her contributions to the general expenses of the empire in the fifteen years which had elapsed since that event, amounted to 103,000,000*l.* The whole amount in the same period of the available revenue which Ireland had at the time of the union, was 12,735,000*l.*; so that the contract between the countries had imposed upon Ireland an expenditure eight times as great as her revenue, calculated at the amount at which it stood at the union. There were only two modes in which the several chancellors of the exchequer for Ireland could perform the task of raising this contribution—they must do it either by a loan, or by an increase of taxation. Under the peculiar circumstances of irritation attendant on the union, it would not have been wise immediately to increase the taxation; nevertheless in order to prove that the finance ministers of Ireland had not shrunk from their duty in this respect, it would only be necessary to state to the committee, that in nine years from the union the produce of the taxes in Ireland had been nearly doubled. At the time of the union it was 2,440,000*l.*; in 1810 it was 4,280,000*l.* At present the produce of taxation in Ireland was 5,752,000*l.*, being as fourteen to six, compared with that produce at the time of the union. In fact, taxation had been carried in that country almost to its *ne plus ultra.* The honourable member then went into a variety of statements, showing the different periods at which the Irish expenditure exceeded its revenue, and the amount of such excess, and observed, that in consequence of this increased excess the necessity for the consolidation of the exchequers of both countries existed some years back, as it was impossible that Ireland could bear additional taxation. He did not mean to say that Ireland had been hardly dealt with, in this increase of expenditure. She had only borne that proportion which had been established by the act of union, and the result of her great disbursements from that time to the present was, the acceleration of that union of the exchequers, which ultimately should take place. He was convinced that no English member of parliament would wish to see Ireland pay more than she could bear, and as an Irish member, not considering parchment rules, but the unwritten principles of justice, and those benefits which Ireland had derived from her connexion with England, he could not object to an equality of expenditure [Hear, hear!]. When he considered the benefits which Ireland had received from her close connexion with England, that her agriculture had nearly doubled, and that her commerce had advanced in nearly the same proportion, he could not but hail the present measure as one which would draw the connexion still more close, and he looked forward in confident anticipation of its happy effects.

Sir *John Newport* said, that he never would come before that House in *forma pauperis*, when pleading the cause of Ireland. On the contrary, he would contend, that she was entitled to claim a reconsideration of the unfair system of contribution which was fixed for her at the period of the union, and the injustice of which was now unravelled by her complete bankruptcy. If Ireland had not met her expenditure, it was not because she had not made exertions to increase her revenue, but because the union had imposed a burthen which it was impossible for her to bear. Though not a member of the Irish parliament, he had given his support to that measure, influenced by expectations which had proved delusive, and by promises which had not been fulfilled. Taxation had since then been enormously increased, and the public measures promised had remained unaccomplished. Much had been said of the great progress in improvement which Ireland had made since the union. He was aware of this in regard to her agriculture; but in the article of linen, the only manufacture which she possessed, it could not be concealed that her exports were less now than in 1792 and 1793. The whole of the increase was in raw produce, not in manufactured articles. The right hon. baronet then adverted to the many evils which had arisen to Ireland in consequence of absentees, and observed, that an equality of taxes in both countries would render those evils permanent, as they would hold out no inducement to the landed gentry of Ireland to reside at home. He next observed, that at the time of the union, those who negociated for Ireland had overlooked many things which, if examined with due regard to the welfare of Ireland, would have since been productive of great advantage to her. For instance, the Channel trade was made subject to no increase of duties, and the consequence was, that from the small proportion which the foreign trade of Ireland bore to her English trade (being only as one to three) she was cut off from any considerable increase in her customs, while these were continually increasing to England, her foreign trade being to her trade with Ireland as three to one. The result then was, that the Irish finance minister was obliged, in order to meet the increase of expenditure, to lay additional taxes on the inland trade. Malt and spirits were then taxed to such a degree as to hold out a strong inducement to illicit distillation. Illicit malting and illicit distillation were carried to such an excess of late, as considerably to diminish the revenue arising from these two branches of excise in Ireland. When this was considered, the expenditure increasing while the means to meet it were in some degree lessened, would it be said that Ireland came *in forma pauperis* if she sought to dissolve the contract, or such part of it as bound her to an unequal expenditure? The right hon. baronet then went on to show that the great increase of taxation in Ireland would destroy its intended effect, as it would necessarily, in the present distressed state of that country, tend to diminish the consumption of the articles which were taxed. He had at several periods expressed his disapprobation of the unequal quota which Ireland was called upon to pay, and now again said that the sooner the contract was dissolved the better. He deprecated the idea of any increase of the assessed taxes in Ireland, as abridging the comforts of an important class of the community, and thus weakening her connexion with this country. Adverting to what the Irish chancellor of the exchequer had said on the subject of salt and coals, he professed his conviction that no higher salt duty could be raised in Ireland; and laid it down as a general principle, that no article, in consistency with the enactments of the union, ought to be more highly taxed there than in this country. There was one other thing which he wished to mention, namely, the assimilation of the currency. He contended, that if there was not an equality in exchange, it existed in the shape of discount; and to establish this fact, he wished to refer the House to the examination of some of the most intelligent members of the bank of England in 1805. He would not, therefore, protract the discussion by entering into any farther details on this subject; and having, as he conceived, fully expressed his opinions with respect to the immediate point before them, he should leave the decision to the justice and wisdom of the House.

Lord *Castlereagh* rose to offer a few observations on what had fallen from his hon. friend (Mr. Bankes) and the right hon. baronet who spoke last. His hon. friend, with whom he could not agree in thinking Ireland in a state of bankruptcy, had argued, that the present was not the fittest time for entering into this subject as four years hence, when the twenty years from the passing of the act of union had expired, he understood the whole question would be open to be dealt with by parliament as they should deem expedient, and not till then. He was surprised to hear such an opinion from his hon. friend, and could not think he had read the act attentively, if he conceived that the House would have more power four years hence than it at present possessed. When the twenty years from the passing of the act of union were at an end, parliament would have from that act no discretion to exercise as to the quota of Ireland, but with respect to the regulation of it according to a certain criterion there laid down. A number of articles were there enumerated, such as beer, spirits, wine, tobacco, malt, &c. which were left open to those financial arrangements which the minister might think advisable; but there were other sources of revenue, which it had been thought ought not in ordinary cases to be meddled with. This had been suggested on the principle of its being desirable to tie up the hands of the stronger power for the better security of the weaker one; but any difficulty that in the present situation of things might arise from that regulation, would be equally in the way of any new arrangement that might be proposed at the end of four years.

The only question which the House had to consider was, whether they should proceed anew to regulate the quota of expense to be borne by Ireland, according to the criterion laid down in the act of union; or whether a different measure should be resorted to in order to relieve her from her present difficulties? If the resources of Ireland were so great, and so likely to fructify, within the period which had been named, as to enable her to meet the charges she had been expected to bear, that would be an argument for waiting till the twenty years had expired; but if there were no reasons for supposing she would be more able to do this at the end of the four years, than she was at the present moment, then he thought no new delay ought to take place, and that the more manly course was to meet the question at once, than to drive it off to any future period. When the union of the two countries was effected, the difference which then existed between their respective debts had prevented the consolidation of their revenues. This great *desideratum* had promoted the Scotch union; the debts of the two countries were so little dissimilar, that by paying a sum of money to Scotland, the difference between them was easily adjusted, and the government of that day had been enabled to effect the union of their exchequers. When the union with Ireland took place, the debts of that kingdom and of England were so dissimilar, that such an arrangement as had before been made in the case of Scotland could not be accomplished. Ireland, in being united to England, was of course unwilling to take upon herself a part of the debt of this country, and required security against such an attempt. It was in consequence provided, that while the debt of England so greatly exceeded that of Ireland, the latter country should not be taxed in proportion to the total expenditure of the empire, but should only pay in the ratio of what remained to be paid, after the interest on the debt was thrown out of consideration. The difference between the debts of the two countries was now the other way; they had been about equal in 1811, but now the difference was against instead of being in favour of Ireland. He had stated what security had been given to Ireland that no part of the charge of the English debt should be thrown upon her, and had now to mention the security given that no article should be taxed higher in Ireland than in England, and as some commodities could not be taxed so high without great injury to the country, it was provided that such modifications should be made in favour of Ireland as local circumstances might require, if from any change that might occur, the taxes generally should be placed on a footing of equality. If the debt of Ireland became so great that she could no longer provide fot it, a consolidation of the two exchequers became absolutely necessary. That point at which the debts of the two countries were on an equality, had been passed in 1811. It was therefore proper that the consolidation of the exchequers should now take place without further delay, as to go on without doing this could produce no good effect, since it would require Ireland to do that which it was already known she had it not in her power to accomplish. Having availed herself of one of the two securities given her at the time of the union, so long as the state of her debt would permit of her doing this, Ireland now threw herself on the other, and would henceforth be liable to equal taxation with England, subject to those mitigations in her favour which circumstances might appear to demand.

He wished not to revive past controversies, but he felt it incumbent on him to take some notice of the remarks made by the right hon. baronet opposite, on the quota which Ireland had been called upon to bear. He had not expected the right hon. baronet, without some strong reason for so doing, would have brought this forward, and have treated the subject as if any thing had occurred to refute what had so often been admitted, that there was nothing in the arrangement made with respect to the quota, that could at all detract from that liberality which had ever marked the conduct of this country towards Ireland in money matters. It was a curious fact, that the right hon. baronet, finding, after sixteen years had elapsed since the passing of the union act, that the quota of Ireland was more than she could now bear, should thence argue, that it was unjust to throw it on her formerly. Much as the measure of the union was opposed at the time the act passed, and great resistance he well remembered was then made, and naturally—for no country could give up what it considered to be its independence, without a pang; a question was never raised on the harshness or injustice of putting on the sister country that quota of the public expense which it was proposed Ireland should bear. This, indeed, it had so happened, was, perhaps, the only part of the arrangement which was not objected to at the time; this had been admitted to be fair and liberal, and conceived in a spirit of indulgence to Ireland. It would have been fortunate for the negociators of the union, if they had been relieved from the necessity of determining the criterion by which the quota of Ireland should be regulated, as it was a task of no small difficulty. Had the property-tax then existed, perhaps that would have been the best criterion they could have selected: but that tax not being at that period in operation in Ireland, he thought the best had been adopted that could have been named in the absence of the impost he had mentioned. The criterion chosen had been founded on the wealth and resources of the country, it had pressed on the consumption of those articles which, if necessary, were still sufficiently luxuries to be so treated. At the time the course pursued in this respect was thought unobjectionable, and he apprehended the right hon. baronet did not take that view of the subject then which he seemed disposed to take of it now, or the measure would not then have enjoyed that favour which the right hon. baronet, though then out of parliament, had thought fit to bestow upon the bill. The situation of Ireland at the present day, it was highly probable, would not have been better than it is, even if the union had not taken place, and the evils complained of would have been more irremediable. He was sure the right hon. baronet could disprove this fact, and he (lord Castlereagh) was satisfied, that if, instead of fifteen years of war, the country had enjoyed fifteen years of peace, or only passed that period in the prosecution of an ordinary war, Ireland would not have been called upon to submit to a larger expenditure than she was used to bear before the union. The expense of the war in which the country had been engaged, had exceeded all calculations that could have been applied to it prospectively, and especially from that period at which a new character had been given to it by carrying our armies to the continent, and fighting in the peninsula for the liberties of the world. Had the union not taken place (and he would be very willing to go into an examination of this question on a future day), still if the war had continued, the situation of Ireland must necessarily have been such as to cause a rapid increase of her debt. This must have occurred to her had she remained as a separate country, and the fact could hardly be disputed when it was remembered that her expenditure for the internal service of the country amounted to 4,000,000*l.* per annum. She must though separate, have been still getting in debt, and not less rapidly than she did in the early years of the union. In raising her loans she must have incurred a great expense which had been spared her in consequence of her connexion with England. She could not have negociated them at home on such favourable terms as she had been enabled to obtain them here, with the security of this country on her side. With such a guarantee, it could not be doubted she had gained advantages in these transactions which otherwise she could not have expected.

But it might be said, that England would have exerted herself in favour of Ireland though the union had never taken place. It was certainly not to be denied that England would make every exertion in her power to prevent Ireland from being disturbed, or to save her from falling into the hands of an enemy; but was it reasonable to suppose that this country would be content to go on from year to year supporting another country, with a distinct legislature, if no general agreement was come to in some great principle intimately connected with its interests. When speaking on the subject of the increased expenditure of Ireland since the union, it ought to be remembered, that the events which had since occurred, could not then be foreseen. At that period the national expenditure amounted to but 32,000,000*l.* and was not expected greatly to exceed that sum in any future year, and consequently all the calculations then entered into were made accordingly. It was not supposed by any one that the public expenditure would increase as it has done in the last six years, to 40, 50, 60,000,000*l.* and within the last two years to near 80,000,000*l.* per annum. Could it be thought extraordinary, when events had occurred to call for such stupendous exertions—when the world had been so convulsed as it had been—that the calculations founded on the prospect of ordinary times, should have proved insufficient?

But it might be asked, why had the debt of Ireland increased more rapidly than that of England; so that having been much smaller in proportion, the difference between the debts of the two countries was now thrown the other way. It was obvious, that this arose from the great local advantages of England, which had enabled her within the period referred to, to raise 250,000,000*l.* by means peculiar to herself—by the facilities he possessed for raising loans, by the taxes she had been able to bear, which gave the minister the means of raising a greater proportion of the supplies of the year within the year, than could possibly be accomplished in Ireland. Had Ireland been capable of similar exertions, she would not have run so rapidly in debt. Nothing that he had heard that night made at all against the system established at the time of the union. To him it appeared the wisest that could have been adopted at that period, as it was impossible to anticipate the events which had since occurred. It was fit that Ireland should only pay her quota of the national expenditure, while her public debt was so much below that of England. Now that her debt had risen so as to do away that distinction which had formerly been made, it was fitting that an arrangement should cease to operate, and that the taxes should take their natural course in both countries, on a footing of equality.

The construction which the right hon. baronet had this night put on that part of the union act which relates to the power of mitigating duties imposed in favour of Ireland, the noble lord said, was new to him, and he had really been surprised that the right hon. baronet should have ventured to throw the argument he had advanced on this subject seriously before the House. He could conceive nothing so little capable of being maintained as the position, that because, from peculiar circumstances, modifications had once been made in favour of Ireland, that these were to be perpetual. He must protest against such a construction being put on the words of the act, and contend that, according to common sense, it could not be intended that when that state of things no longer existed, which had made such relaxation necessary, it was nevertheless to be allowed to all eternity, and not one additional shilling demanded from Ireland after the consolidation of the exchequers, without a similar duty being imposed upon Ireland. The injustice of such a scheme was only to be equalled by the facility with which it might be evaded. If it was desired to do this, it would only be necessary to repeal for a short time, or for no time at all, the duties which might already be in force, and subsequently impose equal taxes on the two countries, and thus at once deprive Ireland of the advantages she might promise herself by a quibble in legislation.

He repeated, his opinion was, that when the twenty years from the passing of the union act expired, the House would not be more able to deal with the subject now under their consideration, than they were at the present moment, and this to him appeared the time at which the question ought to be met. He doubted not that by England the change would be received with that generosity and good nature, with which this country had always viewed any arrangement for the benefit of Ireland. Whatever other complaints they had heard from Ireland, and certainly they had heard many, they had heard no complaints of taxes. On other subjects complaints were common, but taxes seemed to be the least grievance felt in the sister kingdom. It was highly creditable to the country that those which it had been found necessary to impose, were so patiently borne, and it was also creditable to the servants of the Crown in Ireland, that they had made arrangements which caused so little discontent. The House would feel this compliment was due to his right hon. friend the chancellor of the exchequer for Ireland, who certainly, during the three years he had been in office, had made as great exertions as it was possible to make in the important situation which he had the honour to fill. He had to provide for an immense expenditure in the three last years. He had suggested the ways and means necessary to meet the great charges which the country had to bear, and, much to his honour, and to the honour of the country, his three budgets had been completely realised. He had to provide in these three budgets, for the interest of loans to the amount of 2,000,000*l*., and the ways and means he had pointed out, had produced the sums he had calculated would thus be raised [Hear, hear!]. Though at present the state of Ireland could not be boasted of, yet he agreed with the right hon. baronet opposite, that she did not come into this partnership so reduced that it ought to be said of her, she came *in forma pauperis*. There was so much wealth, so many resources, and such sterling worth and merit in the country, that if England did but allow time, he was confident she would find an able supporter and a fruitful source of national strength in Ireland. As an Irishman, the noble lord said, he was far from feeling himself humiliated by the appeal now made to parliament. The measure suggested by his right hon. friend this night, was one which he thought ought to be adopted, and that without delay. There could be no advantage derived from deferring it till the twenty years from the passing of the act of union had expired, and much inconvenience might be felt from such procrastination. With these feelings, and on these grounds he gave his most cordial support to the resolutions.

Mr. *Ponsonby* ridiculed the idea of estimating the ability of any country to bear taxation by the consumption of certain articles, a circumstance that might depend more on manners than on wealth. Every body knew that the Irish were more prone than the people of England to consume the articles in question. With regard to the subject then before the House, he considered it absolutely necessary that something should be done, and he was not aware that any better system could be adopted. The word "bankrupt" might sound harsh, but if "insolvent" sounded better, then Ireland was completely insolvent, and had been so for many years; she was not able to pay even the interest of the debt which she owed. What, then, remained to be done? England must pay it for her. But could any useful inference be drawn from this? Yes; the inference was, that ministers ought to diminish the public expense both in England and Ireland, wherever it was practicable to reduce it. We might tax Ireland as much as we pleased, but we should get nothing from her; she was not in a situation to furnish the taxes which we might call upon her to pay. The noble lord had said that the Irish had complained least of all of taxation; but they did complain of it most grievously. The gentlemen of small fortunes in Ireland, that valuable portion of the community called the landed gentlemen, were taxed out of every comfort in life. Did the noble lord mean to deny this? The fact was established beyond all doubt, by a paper then upon their table, which stated, that more than 3,000 notices had been given in one year of the discontinuance of carriages of various descriptions. The load of taxes on Ireland was intolerable, and the revenue which ministers expected from her could not be collected. He did not blame the chancellor of the exchequer for Ireland for the present situation of things in that country. It was no fault of his, and the only remedy that could be supplied was, perhaps, the measure now about to be brought forward. He did not complain that this had been adopted too soon: his fear was it had been resorted to too late. He did not agree with the noble lord in thinking that Ireland had derived great advantage from her loans being negociated in England.

The Resolutions were then agreed to.

ALIEN BILL.] On the order of the day for receiving the report from the committee of the whole House, on the bill to repeal an act for establishing regulations respecting Aliens arriving in or resident in this kingdom, in certain cases, and for substituting other provisions in lieu thereof, for a time to be limited,

Mr. *J. P. Grant* said:—Sir; I feel it my duty to oppose the bringing up of this report. If any thing could surprise me which proceeds from his majesty's ministers, I should feel the greatest surprise at the proposing a measure like this without one single reason being offered to show its necessity. It is a measure wholly repugnant to the fundamental principles of English policy, from Magna Charta to the year 1792—repugnant to our constitutional policy, acted on without exception in all the various situations whether of external or internal danger to which this country has been at any time exposed. We have had disputed successions to the Crown—we have had formidable rebellions—we have been threatened by the most serious attacks from without—the disaffected at home have been in the most intimate connexion, and known to be in the most intimate connexion with very powerful enemies abroad. But in no period of our history did it ever occur to any statesman to propose a measure like the present till the unfortunate and extraordinary events of 1792. Had I been in public life at that period, I have no hesitation in saying that I should have disapproved of this measure then; and from all I have learned since, I am now of opinion that at that time it was unnecessary and unwise. If any gentleman thinks any advantage can be made of this avowal in the present debate, he is at perfect liberty to use it. But I am not obliged to argue this now—I am not obliged to argue that the measure was improper in 1792: for the circumstances which gave rise to it then no longer exist. We are not now in the situation of 1792. There is no point of resemblance between the two periods; some grounds, therefore, ought now to be shown for the adoption of this measure. But not one word has been said on the subject—not an attempt has been made to show the shadow of a reason for passing this bill. The ministers have not mentioned or alluded to a single fact to justify the subjecting such a number of persons to a tyrannical power (and the greater their number, the greater is my objection to depriving them of the protection of the law). They have not only not stated to us a fact of which we might judge for ourselves, but they have not even asserted that they know of a fact to justify this measure, which we might receive upon confidence. The right hon. gentleman, the under secretary of state (Mr. Addington), did not pretend to show any ground for it. He said that the measure was not new, because a similar bill was passed two years ago. He said that it was not coercive, because the War Alien Bill, as it is called, was much more coercive and tyrannical. He said that it was not contrary to the British constitution, because of a passage in Puffendorf; lastly, he said that it was not expensive, because it cost only a few thousand pounds a year, and of these one would be saved. Now, really, Sir, much as I am attached to economy, the last consideration that would have occurred to me on a measure of this sort would have been the expense of it. Then the noble lord called it a "remedial" statute. What meaning the noble lord affixes to the word "remedial," I am ignorant. But my hon. and learned friend, the solicitor-general, maintained that it is a part of the king's prerogative to send foreigners out of the country at his pleasure. If I did not misunderstand my hon. and learned friend, he asserted, that the powers given by this act are already a part of the king's prerogative, and that this act only gives the power of more effectually and conveniently exercising this prerogative. Now, Sir, I have a very great respect for my hon. and learned friend, and great deference for his opinions; but he must permit me to say, that he did not offer one argument or reason to support this doctrine; and notwithstanding the authority of my hon. and learned friend, I should think it wholly unnecessary to revert to this part of the argument, but that I think it incumbent on me to protest against such a doctrine, and to declare that I know of no such doctrine in the law of England. Neither now, nor in 1792, when a similar doctrine was attempted to be set up, has there been one argument or authority adduced to bear out such a position. My hon. and learned friend had to contend against Magna Charta and a host of other statutes, against the authority of lord Coke, and against the undeviating practice of the law of England; and what had my hon. and learned friend to set against this? A loose passage, or rather part of a passage, in Blackstone—an opinion of, I think, sir William Northey, and his own opinion. Of all these, I must take the liberty to say, the last authority is infinitely the best. My hon. and learned friend's opinion I should think very great authority if it came from any other part of the House than that where he happens to sit. But I must be excused if, on a point of prerogative law, I do not consider the opinions of the attorney and solicitor generals as the best authority. For the passage in Blackstone, it consists of a few loose words at the end of a sentence, without quoting any authority whatever; and I believe it is the only instance in that author of his advancing a material proposition in law without citing his authority. I have looked at the passage since, for I had forgot there was any such assertion in Blackstone; and it is of the loose and vague sort I have stated. But I wish my hon. and learned friend had read a little further in Blackstone, when he was about it; he would have found in the next paragraph, that Blackstone quotes the passage which has been referred to in Magna Charta; and the words of Montesquieu alluding to it—who mentions, with praise and admiration, "that the English had made the protection of foreigners a part of their national liberties? Sir, our ancestors, by a policy, equally prudent and liberal, when stipulating with their monarch for their own privileges, made it a part of those stipulations that foreigners should be protected. This has remained the law of England ever since. The king has no more power in England over a foreigner, so he be not an alien enemy, than over a native. He is entitled to the equal protection of the same laws. When he sets his foot on English soil, he is under the protection of English laws; he is by the laws of England no more subject to the caprice of a secretary of state than an Englishman. It is a part of the liberties of England, and of Englishmen, that every man in England shall have the equal benefit of the laws of England, with no more distinction between the foreigner and the native, than between the peer and the peasant; and there is no single circumstance in our policy that has tended more than this to raise the character of this country in the opinion of foreign nations.

It is said this power must reside in the sovereign power of every state, and Puffendorf is quoted. It is very true the sovereign power in every state has the right to dismiss foreigners from the territory of the state, and foreign nations have no right by the law of nations to complain of the exercise of this right, if it be not exercised invidiously against one particular nation. But the present is not a question of the law of nations, but of the law of England. The king is not the sovereign power in England—the parliament, king, lords, and commons, are the sovereign power of England. Certain parts of the sovereignty have been delegated to the king. But, except in so far as these parts of the sovereignty have been delegated to him, the king is no more the sovereign of England than the lords alone, or the commons alone, are the sovereign of England. The king is the head and organ of the state in its foreign affairs, and it is said this is a part of its foreign affairs. It is no doubt so far a foreign affair that if a foreigner be misused, his sovereign or his nation has a right to complain. But it is more than a foreign affair—it is a domestic affair—it is a part of our municipal law, that tyranny shall not be exercised in England over any man, be he native or foreigner; and the king, by the law of England, has no more power over the one than the other.

The noble lord mentioned two reasons that might exist, for granting such a power as is bestowed by this bill; first, the danger of foreigners disturbing your own government; and, secondly, the danger of their carrying information to foreign countries. Now, it is obvious that this last refers only to a time of war—to information that may be conveyed to an enemy. But where is the danger of conveying information to an enemy, when we have no longer any enemy existing? As to raising commotions in this country, is there any body who seriously entertains such an apprehension? Is there any body who really believes that at this moment there is any danger to the government, from any foreigners who may resort to the country? The noble lord says, that certain principles may have been put down, but they cannot be yet extinguished. Does the noble lord believe, or will he say that he believes, there is any danger to this country from any principles that remain unextinguished? It is ridiculous to talk of it. The noble lord has said, would you throw open the country to all the spirits that lately surrounded Buonaparté?—I am not much of a believer in spirits, or their power, and I am very sure that the common law of England is quite sufficient to defeat all their machinations. But those spirits that surrounded Buonaparté, seem at any rate not much given to republican notions, or much disposed to resist authority.

There is only one other observation which has been made in support of the bill, which I am desirous to notice. The noble lord has said it will not be displeasing to foreign powers. This is with me the strongest reason for opposing it. I cannot consent to part with the genuine principles of English policy in compliment to the arbitrary notions of foreign monarchs. I would rather endeavour to persuade them to adopt some of the maxims of English policy. I cannot consent to enter into a combination with them, to introduce into England tyrannical principles unknown to the genius of our laws. But I would rather counsel them, if they would retain the throne which they have re-acquired, to transplant to their own countries some of the liberal and wise institutions of this. I cannot therefore, Sir, consent to a measure which, without any ground of necessity laid for it, places in the hands of a secretary of state an arbitrary power unknown to our constitution—subject to the greatest abuse, even in the hands of the best intentioned minister—which renders him a tool and instrument of oppression the most grievous, in the hands of some concealed informer not so well intentioned as himself. It is said he is under the control of parliament—that he is answerable to parliament. In what way is parliament to arrive at the knowledge of the facts, if abuse have been committed? In what way is an inquiry to be conducted? How are we even to discover that inquiry is necessary? How are we to learn sufficient to judge whether it is probable the power has been abused, and right that inquiry should be instituted? It is in the very nature of the power demanded that the proceedings should be secret and concealed. It is in its very nature that its exercise should be without remedy or control. I oppose it, therefore, on this ground—that it gives occasion to oppression and to wrong; for which, in the nature of the thing, there can exist no remedy. Sir, for these reasons I cannot consent to the bringing up this report.

Mr. Serjeant *Best* said, that the idea, that the king by virtue of his prerogative could send aliens out of the country, did not rest on Blackstone alone. Blackstone had quoted Puffendorf, who was a liberal writer, to prove that the law of nations, which in questions of national law was the law of England, necessarily vested such an authority in the sovereign power of every state. Lord Grenville, too, in the debate on the alien bill, in 1792, said that, in former days, the Crown was entrusted with a power over aliens, and the prerogative in that respect was considered very extensive. Lord Loughborough was of the same opinion. He was not aware of any decided case on the subject: but in questions of English law, in the absence of decided cases, the opinions of learned men were of weight. By the statute 27th Edw. 3rd it was enacted, that merchant strangers might safely come and remain in the realm with safe conduct. It thus appeared, that in those days the broad principle of admitting strangers was not adopted, but only those were suffered to reside here whom we could get something by. He believed there was not a state in the world in which the sovereign had not a power over foreigners. The English constitution was made for the benefit of Englishmen, not of foreigners. It was true that while they remained here they ought to have all the benefit of the English law, but they ought not to have the power of staying here as long as they pleased. He acknowledged that in 1792 the state of things was not the same as at present, but the measure was befitting any state of things. It was said, the power might be abused, but so might all powers. If any minister abused the powers given him by the act, he might be called to account. As for the Habeas Corpus act, he did not know what that act had to do with the present case, for foreigners were not mentioned in any part of it. It was established for the benefit of Englishmen. He should, therefore, support the bill, as he thought it necessary to give effect to the prerogative of the Crown, and as not a single instance of the power being abused since the year 1792 had been adduced.

Sir *Samuel Romilly* said, that though it was of little consequence in the consideration of the question before the House, what the law was, yet it was of great importance that most erroneous opinions put forth by lawyers of rank and eminence, should not go out to the country without contradiction. His three learned friends had quoted Mr. Justice Blackstone as an authority that the king had the power to send aliens out of the country. Now, any one who turned to Blackstone would see that he was authority for no such proposition: but that he stated that which the warmest advocate for the royal prerogative (and few went further than his learned friend who spoke last) would now maintain. Blackstone stated, that the king had the power to send aliens back to their own country. That this was not law was evident from what had passed after the treaty of Amiens. This country had stipulated by that treaty to send back to France all murderers, forgers, and fraudulent bankrupts; yet even to fulfil this stipulation it had been necessary to pass a specific act of parliament. Could any one pretend, after this, that the Crown had the power which Blackstone so unfoundedly ascribed to it? But it was necessary to protest against this doctrine, or we might soon see some practical effects of it. They knew not how soon, if this power of the prerogative were admitted, the ministers might send back the Spanish liberales or the French emigrants to their respective countries to perish at the stake or on the scaffold. But the learned serjeant, as he could find nothing to support his argument in Coke or Dyer's Reports, had had recourse to the Parliamentary Debates, and not satisfied with quoting as undoubted law the opinion of an attorney-general, given at the instance of a secretary of state had proceeded to quote the words of a secretary of state alone. Such was the foundation on which a permanent alien bill was raised, which gave the secretary of state power, not only to banish, but to imprison in time of peace, all aliens at his pleasure! Where had there been an instance of the exercise of this newly-discovered prerogative? Of the exercise of powers claimed under the prerogative, but which were now universally reprobated as illegal, many instances were to be found in Rymer's Fœdera, and other collections of state papers, but of the exercise of this power not one instance was to be found, except a solitary case in the reign of Henry 4th, notwithstanding the temptation which some sovereigns must have had to exercise it, if it existed, and especially queen Elizabeth, who was so frequently in danger from foreign emissaries. It was surprising that his learned friend who spoke last, could assert that the powers granted to the ministers had never been abused, in spite of the many instances which had been mentioned. It was absurd to talk of calling ministers to account for the exercise of a power from the very nature of which no evidence of its abuse could be brought forward. As the power was in itself so objectionable, and as the opinion of its antiquity only rested on the authority of his three learned friends, who were evidently misled by the supposed authority of Blackstone, he should oppose the motion.

Mr. *Yorke* said, he could not understand in what manner the hon. member who had spoke last had gotten rid of that most learned commentator's opinion, Mr. Justice Blackstone. He never had entertained a doubt but that the Crown had the power of sending all aliens out of the country, with the exception of foreign merchants. Magna Charta and the statute of Edward 3rd protected this trading class of men, upon the principle that "exceptio probat regulam." The protection given by the statute of Edward 3rd was to merchant-strangers and others, that was other merchants. The first part of it protected merchant-strangers in coming to and going from the country, but the others should only be subject to the usual customs. As he understood it, therefore, the first class was to be protected as to their persons, and the others should be obliged to pay no more than the usual customs. This was of itself a pretty strong proof of the ancient custom on this question. But Coke upon Littleton had further distinctly stated, that the uniform practice in former times was, that when an alien came over into this country, if he were a merchant, he might have a house; but if an alien and not a merchant, the king then took possession of the house. This, then was another proof of the ancient usage, and would completely stop the mouths of those gentlemen who so strongly maintained that it had always been the habit of this country to encourage the residence of all sorts of foreigners. Some further authorities he would cite to the House as additional proofs of what he had already urged, and first from the parliament rolls of 1 Rich. 2nd, containing the petition of the House of Commons to the Crown, and the answers to it by the latter. The petition of the House was, that it be enacted that all aliens should avoid the realm; that those foreigners now in the country should take shipping at Dover for Calais, and be fined for good behaviour. The House had been told that the king was no sovereign, but that the sovereignty was vested in the king and parliament. If this were the fact, what could all this mean? Did not this petition directly show that the prerogative of turning aliens out of the kingdom was vested in the Crown? He would always stand up for the king's prerogative. It was as much intended for the protection of the people, as the privileges given to the House of Commons were meant to assert and sustain the rights and liberties of the nation. The petition of the 1st of Richard 2nd also prayed that all Bohemians and others should depart the kingdom. The answer of the king to this petition was, that they should be warned to avoid the realm. The 8th Henry 4th also was another authority. The petition of the Commons in this instance prayed that all aliens, with the exception of the impotent and Dutchmen, might be sent out of the kingdom. In the first year of Henry 5th a law was passed on this question, and it was enacted that all aliens should depart the realm, with the exception of alien merchants, who were suffered to reside in the country under the king's will and pleasure. And here it would be observed, that it was found necessary to pass a law with regard to the foreign merchants, and the prerogative was not found sufficient. Upon these various authorities he considered the ancient prerogative of the Crown had been completely established, and that even without the authority of Mr. Justice Blackstone, the House might be satisfied that the sovereign had an absolute prerogative to send aliens out of the kingdom. With respect to the opinion of sir Edward Northey, was it considered that attorneys-general at that time were allowed to twist and turn the laws whichever way they pleased? But who was sir Edward Northey? He was a very skilful and eminent lawyer, contemporary with some of the most profound men in the same profession, among whom were lord Harcourt and lord Raymond, and twice filled the office of attorney-general. Was this, then, a man who would lightly hazard an opinion of this nature? Previous to the year 1792, the Crown was able, by its mere prerogative, to prevent the disturbances that would otherwise have arisen: but when troops of aliens came over at once, and swarmed the country, then it was found requisite to vest a further power in the Crown, and to pass the alien act. There was, previous to the enactment of this law, no mode of turning these meddling, troublesome fellows out of the country, except that of indictment, which was considered by far too tedious. He therefore thought it would be the height of imprudence now to withdraw the bill, without passing a new one in its stead. If, as some hon. gentlemen contended, no prerogative was vested in the Crown, then there was, and it could not be denied, the more necessity for the bill. He most sincerely hoped this would be made a permanent measure; and although he should wish that all sort of kindness and respect should be paid to the aliens, yet it was not the policy of this country to keep within itself a troop of aliens, always prepared to destroy it. Were their arts or manufactures required? Was there not already population sufficient to the demand? And was it not known that, under the mask of hospitality, they were continually meditating mischief and destruction to the very state that protected them.

Mr. *Wynn* was anxious to express his opinion on this bill before it went through another stage. A great deal had been said respecting the sovereignty of the king. Where did the sovereignty of this country exist? The term was, indeed, as a mark of honour and respect, given to the king alone; but the sovereign authority existed in the king and the parliament: there only could it be properly said to reside; and if any hon. member maintained that the prerogative of sending aliens out of the country was vested in the Crown, by him the sovereignty must be supposed as only existing in the king. This, he contended, was a most absurd and ridiculous notion, and contrary to all the established rules of the constitution. The right hon. gentleman who last sat down, had been at much pains to persuade the House that by the common law this prerogative existed in the king; but he would put it to the House whether, for the last hundred and fifty years, amidst the many troubles and dangers in which the country had been involved, one single instance of the exercise of this prerogative could be given? Did our forefathers consider that this power was vested in the Crown, although disused? One single instance in the reign of Henry 4th, and a petition by the parliament to Richard 2nd, had been cited by the right hon. gentleman who had so strenuously and manfully maintained that the Bohemians were strangers. The right hon.

member seemed to have forgotten that an act of parliament was passed to punish capitally all such gipsies; as it was the then received opinion that they had a supernatural charm, which tended to destroy the peace and happiness of the nation. It was said that there were 20,000 aliens now in this country, and that was the excuse for passing the bill; but were there not as many and even more than 20,000 in the country before the French revolution? It had always been the policy of the House of Hanover to protect distressed foreigners, and it had always been the pride of an Englishman that the fetters of the slave were knocked off the moment he sat his foot on British land. There were *primâ facie* several cases which showed, that the king in former times had not the power to send foreigners out of the kingdom. For instance, it was on record, that in the reign of Charles 2nd, when the prerogative was stretched to the utmost, the king dared not attempt to send out of the country a Frenchman who had deprived his majesty of one of his favourite mistresses. But having forbidden this Frenchman the court, and yet, seeing him seated with his conquest at the theatres, his majesty complained to the sovereign of France, who at length recalled his subject. Thus Charles 2nd was relieved from the mortification of seeing his triumphant rival, and the French writer who recorded the anecdote lamented, truly, that any sovereign should not be empowered to send the cause of such an annoyance out of the country. There might be persons even in our own times who would join in the lamentations of this writer, and therefore approve of an alien bill, but he certainly could not concur with them in supporting a measure so liable to abuse, and for which no necessity whatever existed. As to the assertion of the learned serjeant, that the liberty of England was for the enjoyment of Englishmen only, he could not conceive upon what authority such an opinion rested. For he had always been taught to think that the moment any man, however previously enslaved, touched British soil, he became entitled to freedom. Such had been the doctrine of all our constitutional writers, and such was his decided opinion.

Lord *Milton* observed, that many extraneous topics had been introduced in the course of debate; the mere question was, whether the House would allow the enactment of a new law against aliens? The period of 1793 had been referred to, but such reference was only made in the absence of all better argument, since no such comparison was warranted by circumstances. It was not merely a question that regarded aliens; for the abuse of the measure might materially injure the rights of the natural born subject. The right hon. gentleman opposite (Mr. Yorke) had avowed his wish that the children of aliens, who were in fact natural born subjects, should be sent out of the country.

Mr. *Yorke* explained, that his wish was, that the sons of aliens should be deemed dangerous, and their sons, natural born subjects, entitled to all their rights.

Lord *Milton* proceeded to quote the words of Mr. Burke, who had declared that a bill like the present, in time of peace, would be too great for liberty, and would give too much power into the hands of ministers. Thus the noble lord, a great statesman indeed, had against him the authority of one whom some might think a little greater. He opposed the bill chiefly because it might be an engine of oppression to drive from this country those who fled from the tyranny of their own sovereigns: it might be used against the noble South Americans now struggling for liberty, in whose favour all hearts beat, though few tongues ventured to avow it. He would assert, that the government of Spain was an odious tyranny, and he sincerely hoped that the designs of the "beloved Ferdinand" would be defeated. He would not consent to a bill which would render England the means of entrapping the destitute, instead of continuing their place of refuge as in all former times. He warned the House against giving entire credence to the right hon. gentleman who maintained that all prerogatives which the Crown possessed at any former time should be revived and continued.

Mr. *Baring* rose amid loud cries for the question. He complained that the case which had been mentioned some nights ago in his absence during the last discussion on the bill, had been grossly misrepresented. He asserted that the power with which government was invested by the alien act, had been grossly abused, and especially in the case of the two persons whom he had mentioned on a former evening. For those persons had come into this country solely for commercial purposes, and yet they were sent away without any cause assigned. One of them was stated to be his relation, which was erroneous; for the individual, though of the same name, was a different person. But what aggravated the case was this fact, that one man was sent out of the country instead of another, who happened to be of the same name [Hear!]. This fact the hon. member stated his ability to prove, by producing the man actually sent away through that mistake, for he was actually now in London, while the other was no more.

Mr. *Addington* said, he hoped the House would allow him to say a few words, being charged with illiberality. In fact, from the defectiveness of his sight, he protested he did not know whether the hon. member was in the House or not, on a former occasion. He was really astonished, however, to hear the hon. member say, that M. la Bouchere was no relation of his. All he could reply was, that he had a letter in his office from the hon. member, requesting permission that M. la Bouchere might be permitted to land, he being a relative of his, and coming into this country merely for commercial purposes.

Mr. *Baring*, in explanation, observed, that if such a letter could be produced, it would indeed astonish him, for he must have stated what was not the fact. There was a gentleman of that name, a relative of his, but the individual in question was none at all.

The House then divided, when the numbers were

For receiving the Report......	148
Against it	48
Majority	100

Sir Samuel Romilly then moved, that instead of two, the bill be renewed for only one year. Upon which the House divided:

For the amendment	44
Against it	124
Majority	80

The gallery was not re-opened, but we have been favoured with the following brief sketch of what passed during the exclusion of strangers. As soon as the division on Sir Samuel Romilly's amendment was ended,

Sir *James Mackintosh* proposed a new clause, to give effect to that right of appeal to the privy council, which the bill held out to aliens as a security, but which after the decision against hearing counsel, in the case of the baron d'Imbert, (which he must presume to be right), was rendered perfectly nugatory. Did the House intend to afford a real safeguard to aliens by this appeal? When the privy council were required to judge of the validity of the reasons or excuses of the alien, were they also to grant to the privy council all the means of forming a right judgment. Now, unless the charge was in some degree communicated to the accused, there could be no defence. Unless there was a defence, there could be no fair trial. Unless there was a fair trial, the judges were required to judge without any means of judging rightly. To accomplish this purpose, he had prepared a clause, which he should now read to the House:

"And in order the better to enable the lords of his majesty's most honourable privy council, to judge of the sufficiency of such excuse or reason, so alleged by such alien as aforesaid; Be it further enacted, That the lords of his majesty's most honourable privy council, shall cause to be delivered to such alien in writing a general summary of the matters alleged against him, and shall allow him reasonable time to prepare his defence, and that it shall and may be lawful for him to summon, and examine upon oath witnesses, before the said lords of his majesty's most honourable privy council, and to be heard before them by himself, or his counsel, in support of the excuse or reason by him alleged."

The House would observe what he did not ask. He did not presume to ask a specific and detailed accusation. He did not ask, that witnesses should be examined on oath, in presence of the accused, that they should be confronted with him, that he should have the privilege of cross-examining them. He did not venture to propose a trial by jury, under the eye of a humane and vigilant public. He did not demand the common securities for innocence, without which the law of England presumed, that no man could be justly doomed to the slightest punishment. These he did not dare to propose for aliens, that is, for those who needed legal protection the most—who were more obnoxious to vulgar prejudice, and least covered by the natural defences of connexion and sympathy. But these, he well knew, were the luxuries of criminal justice reserved only for Englishmen. They had this night heard, that English liberty was only for Englishmen. English justice and English humanity would by this bill be confined to Englishmen also. All that he ventured to propose was, that a person, such as had been described by his hon. and learned friend (sir S. Romilly), a merchant who had resided fifty years in this country, who had formed all his connexions and friendships here, a man of large fortune, estimable character, should not be liable to be expelled, at an hour's notice, from his home of choice, which deserved, perhaps, as much respect as the home of chance, without having the shadow of any means left to prove his perfect innocence, or to demonstrate that this banishment would be a cruel oppression to him, without in the least contributing to the safety of the state. All he implored the House to grant was, that the privy council should in this jurisdiction stop one step short of the holy inquisition: the only tribunal on earth which wholly conceals the accusation, and the accusers from the accused. He repeated, that he did not expect the fullness and precision of an indictment. Some mere general notice of the nature of the charge, was all he presumed to hope. He called only for some frail security for innocent men, for some light to guide judges to righteous judgment, and if this clause were rejected he solemnly appealed to all impartial men, of the present and future times, to decide the character of a measure, which required that men should be doomed to severe punishment, without even a general notice of the charge on which they were to be convicted. He had at any rate discharged his conscience, by struggling to prevent the privy council from being compelled to act on the principles of the inquisition.

The resolution was then moved and seconded.

Mr. *Wetherell* wondered, that his learned friend should so much reprobate the proposed power to be vested in the privy council, of imprisoning an alien without hearing his witnesses or his counsel, which was no more than the council had always done to natural born subjects on charges of treason and sedition. He was extremely astonished to hear his learned friend compare this well-known proceeding to the inquisition.

Sir *James Mackintosh*, in explanation, stated that he was much more astonished to hear his learned friend confound an examination for a committal and a subsequent trial, with a hearing for the purpose of deciding whether a man were to be absolved or punished. He had not compared the first to the inquisition; the second was precisely the mode pursued by the inquisition.

Mr. *Ponsonby* animadverted with force and severity on the confusion of an examination, to determine whether a man should be committed to take his trial, with an examination to determine whether he should be punished.

Lord *Castlereagh* thought the proposed clause would be equivalent to a repeal of the alien law, which was a measure of policy not to be executed according to judicial forms. He said that it would only give the alien an opportunity of reviling the government, and putting the ministers on their trial.

Sir *John Newport* asked, what sort of law was it which would be entirely defeated by the most distant approach towards justice?

Sir *S. Romilly* animadverted in terms of the keenest poignancy upon the grievance apprehended by lord Castlereagh, that government was likely to be reviled at a secret hearing—that the ministers were to be put on their trial before the privy council, or, in other words, before themselves.

After some farther discussion, it was agreed, that sir James Mackintosh should be allowed to bring up his clause, in order that it might be entered on the journals as a protest, and that the division should take place on the question, whether the clause should stand part of the bill.

Mr. *Ponsonby* then pressed the necessity of an adjournment, to give an opportunity of a full discussion of so important a clause at an hour better adapted for that purpose. [It was then two o'clock.]

This was strongly resisted, and gave rise to a warm conversation, in which sir S. Romilly, Mr. Abercromby, Mr. Attorney-General, lord Binning, lord Castlereagh, and Sir James Mackintosh, took a part.

Mr. *Wynn* declared his intention of dividing on every possible occasion, so as to force an adjournment of a matter of such moment to a fit time, and pledged himself to persevere as long as his bodily strength held out.

Lord *Castlereagh* accepted the challenge, though he owned the appeal of Mr. Wynn to his own strength to be apparently very formidable.

After two divisions, which under different forms respected the question of adjournment, lord Castlereagh moved that the bill be now engrossed (which would preclude further amendments in that stage) on which Mr. Wynn moved that this debate be adjourned till Thursday. Lord Castlereagh seeing the determination of the other side, and considering the state of the Speaker's health, at length yielded, and the debate, at three o'clock in the morning, was adjourned till Thursday.

List of the Minority in the course of the above Divisions.

Abercrombie, hon. J.
Althorp, viscount
Barham, Jos.
Baring, Alex.
Brand, hon. T.
Browne, Dom.
Burdett, sir F.
Calcraft, John
Campbell, gen.
Cavendish, lord G.
Duncannon, visc.
Fergusson, sir R. C.
Folkestone, visc.
Finlay, Kirkman
Forbes, Charles
Gaskell, Ben.
Gordon, Robert
Grant, J. P.
Guise, sir W.
Hamilton, lord A.
Horner, Francis
Howorth, H.
Hughes, W. L.
Jervoise, G. P.
Jones, John
Leader, W.
Lamb, hon. W.
Latouche, R., jun.
Lemon, sir W.
Lyttelton, hon. W. H.
Mackintosh, sir J.
Martin, John
Milton, viscount
Monck, sir C.
Newport, sir John
North, Dudley
Osborne, lord F.
Ossulston, lord
Ponsonby, rt. hon. G.
Power, Richard
Prittie, hon. F. A.
Ramsden, J. C.
Rancliffe, lord
Romilly, sir Sam.
Russell, lord Wm.
Sefton, earl of
Smith, John
Talbot, R. W.
Tierney, rt. hon. G.
Waldegrave, hon. cap.
Wharton, John
Williams, Owen
Wynn, C. W.

HOUSE OF COMMONS.

Tuesday, May 21.

EDUCATION OF THE POOR OF THE METROPOLIS.] Mr. *Brougham* rose, pursuant to notice to move for the appointment of a select committee to inquire into the state of the Education of the Lower Orders of the people in London, Westminster, and Southwark. As he understood that it was not intended to make any opposition to his motion, he did not think it was necessary long to occupy the attention of the House, notwithstanding the great importance of the subject. But yet there were two or three cases which he could not forbear to mention, because they so forcibly illustrated the necessity of some general measure for the education of the poor. It was known that certain benevolent individuals had for some time associated with a view to promote the education of the poor, and in the course of their meritorious inquiries such scenes of ignorance, accompanied by misery and vice, had been discovered, as it was shocking to contemplate. Those gentlemen had collected much information with regard to the state of ignorance in the metropolis. Taking three districts of different descriptions in different parts of the town, one might form a fair average estimate of the condition of the people with regard to education. For instance, taking St. Giles, which perhaps was the worse, next a district which might be deemed of a middling description, namely, from Covent-garden to the Strand, and thirdly, a quarter which might be regarded of somewhat a higher order, namely, the Strand itself, extending to Northumberland-house. In the first district the gentlemen alluded to, by inquiring from house to house, found that about 3,000 adults were totally uneducated. But the lowest and most abandoned expressed the utmost anxiety to have their children educated. Yet, in St. Giles there were no less than 4,865 who had no education, or the means of obtaining it. After stating the number of children found uneducated, because their parents were incapable of affording to pay for their education in the several districts referred to, the hon. and learned gentleman adverted to the state of the population of Shadwell, Limehouse, and other places to the east of London. In that quarter there were about 14,000 Irish Catholics, who were employed principally about the river, and it was found upon examination, that only 89 out of the whole number had received the common elements of education. The children of those poor people, who amounted to about 4,000 were also without the means of education. But combining all the facts which had come to his knowledge, including those which related to Southwark, and upon which he could rely, from the respectability of the several gentlemen from whom he had derived his information, he felt himself justified in stating, that out of the 1,050,000 which, according to the last census, composed the population of London, no less than 90 or 100,000 children were destitute of the means of education. Indeed he rather apprehended from some circumstances that he underrated it, and that the poor children in this deplorable state of ignorance were nearer 200,000. As to the means adopted by certain associations to promote the diffusion of learning among the poor, the members of those associations were, no doubt, entitled to the utmost credit. It was impossible to mention the name of Mr. Joseph Fox, who was now unfortunately no more, without applauding his truly liberal conduct. For this worthy man advanced from his own comparatively limited means no less than 3,600*l.* to protect the Lancasterian system of education from sinking under its pecuniary embarrassments. The gentlemen who co-operated with Mr. Fox, and who really were as diligent as clerks in a public office, were also entitled to praise. High also was the claim of the National Establishment, of which the right hon. gentleman in the Chair was such an active member, to the gratitude of the country, especially since it had got rid of its jealousy of any other institution. But however meritorious the national establishment and the British and Foreign school societies, supported as they were solely by voluntary contributions and spontaneous zeal, they were not likely to accomplish much towards the removal of the ignorance which existed in London. It was known that only about 3,000 children were educated by the former, and not quite 2,000 by the latter. But what proportion did this bear to the 90 or 100,000 children conceived to be in want of education in London. After observing upon the grounds which he had laid for his motion, the hon. and learned gentleman adverted to the several charitable institutions in London intended by their founders for the education of the poor, but in which he feared many persons had not done what they ought. But the state and management of those schools would naturally become a fit subject for the examination of the proposed committee in considering what funds were applicable to the education of the poor. He trusted, however, that parliament would not allow any practicable measure for the education of the poor to want adequate funds. His proposition was, that a measure for the education of the poor under parliamentary sanction and on parliamentary aid should be tried in London, for without a previous experiment he should not deem it proper to bring forward any general measure. But if the experiment should be found to succeed in London, he would then recommend the extension of the plan to some other great towns, for instance to Manchester and Salford. The necessity, indeed, that called for some plan to educate the lower orders in those towns, the House would have some idea of from this fact, that within a certain time 9,756 marriages had taken place, in every one of which neither of the parties could enter their names in the parish books. The hon. and learned gentleman urged the propriety of establishing a school, in the first instance, for the preparation of school masters, in order that benevolent individuals about to establish schools might know where to apply for duly qualified teachers. Throughout the arrangement which he hoped to see established for the removal of ignorance and vice, he trusted that nothing would be admitted offensive to any religious opinions, while care should by all means be taken that nothing be allowed to interfere with the just privileges of our national establishment. He would, indeed, be willing to take a model from the plan of public education established in Ireland with the support of the government; that plan was calculated to do much good, but it was quite as necessary that a plan should be established in this country with the liberal aid of the government. The hon. and learned gentleman concluded with moving, "That a select committee be appointed to inquire into the education of the lower orders in the metropolis; and to report their observations thereupon, together with the minutes of the evidence taken before them, from time to time, to the House."

Mr. *Wrottesley* complimented the hon. and learned gentleman on the interest he had taken in so important a subject, and was sure that the best effects would result from it. He alluded to a bill which he himself was about to bring forward relative to the charitable institutions in this country, and observed, that the House would be astonished on learning what large sums of money had already been expended by individuals to promote the object of general education.

After a few words from general Thornton and alderman Atkins, on the success which had already attended the National Establishment, the motion was agreed to, and the committee appointed.

IONIAN ISLANDS.] Sir *Charles Monck* rose, in pursuance of his notice, to direct the attention of the House to a consideration vitally affecting the interest of a people at present not numerous, but who, he fondly hoped, would, at no very distant period, become a great and considerable nation. He had spent some happy days amongst that people, and in his intercourse with them had discerned many excellent and shining qualities in their character that justly entitled them to respect and protection. Previous, however, to his submitting any motion to the House, it would be necessary for him to give a brief outline of their political history, for the purpose of placing the circumstances of the case fairly before their contemplation. The Ionian islands had long been dependant on Venice, and continued in that state until the Venetian states were subdued by the arms of France in the year 1796. The destruction of the Austrian army at that period was followed by the treaty of Campo Formio, in which France ceded to Austria all the ci-devant Venetian states, reserving to herself the ci-devant Venetian islands, situated south of the Adriatic; and thus the French got possession of the Ionian islands. The Porte saw, with jealousy, the French endeavouring to establish themselves on the coast of Albania, and in 1799 invited the Russians to co-operate with her in ejecting the French from those islands; which being effected, they formed them into an independent state, under the name of "The Republic of the Seven Islands." He would not deny that they were placed in vassalage to Turkey; but that word, which, in our ears conveyed an idea far removed from freedom, had a very different meaning in the Ionian islands, for it implied nothing more than an acknowledgment of the superiority of Turkey, for which in return they received protection. In this state they continued until the peace of Amiens, when their political independence was acknowledged both by France and this country. The forts still continued occupied by Russian troops for their protection, but the independence of the islands was guaranteed by all the powers of Europe. They accredited their own ministers to foreign states, received those accredited by others, and regulated their internal legislation free from all foreign interference. In 1807, Russia being defeated in the north of Europe by France, concluded a treaty with her conqueror at Tilsit, and by one of the secret articles surrendered these islands to the French emperor. This event naturally excited our jealousies, and such was our discontent, that lord Collingwood, our commander in chief in the Mediterranean, prepared, in 1809, an expedition from Sicily to deliver the islands, from the power of France. The orders given by lord Collingwood on that occasion, to the officers commanding the expedition, had been laid on the table. By them it was desired, that whenever a fort was reduced, the Septinsular flag should be hoisted, and not the British, as evidence to the inhabitants that our troops came not to conquer but to liberate. Proclamations were ordered to be issued to the same effect, promising the people liberty and independence. With these circumstances before him, he could not conceive how the noble lord who conducted the negociations for this country, at the congress of Vienna, could prove that the independence of those islands had not been betrayed by Russia, and that the hopes subsequently held out by Great Britain had not been equally disappointed. The noble lord could not plead ignorance of their claims to independence, and he hoped that he would not represent them as of little importance. An equal interest was attached to them, as if their power was greater. For when the principle of independence was agitated, the extent of territory, or the possession of power, made no distinction. Instead of obtaining the promised independence, those people were mocked with hopes never to be realized, or insulted with the name of freedom, while the reality was carefully withheld. They were told that they enjoyed an independence; but it was at the boon of foreign powers, who could possess no rights to grant it. They were told that they enjoyed independence; but it was at the will of a power who was appointed their protector. Their legislature was declared free; but there was a British commissioner, who was empowered to regulate its proceedings. This was a state in which no legislature, even of a West India island, was placed; for in none of them could the king's vicegerent influence or direct the proceedings of its legislature. In England, if the king directed the proceedings of parliament, could the legislature be deemed free; or in such case, "would you, Sir," said the hon. baronet, "sit one hour in that chair?" He hoped that the House would not neglect this question, or treat lightly, with respect to the Ionian islands, that principle of national rights and independence for which they had already made throughout Europe such transcendant and signal sacrifices. He lamented to add, that a considerable degree of tyranny had been exercised in those islands by British officers, from the period of their conquest to the year 1814, which was so great, that he had heard that the noble lord himself was much affected on learning it. The provisional government then established had levied taxes at their own discretion, had exercised the most arbitrary power, and had even prevented by force the inhabitants from sending deputies to the congress of Vienna to solicit the noble lord to exert his influence in vindicating their promised independence. He thought that these circumstances established a sufficiently strong ground for inquiry, and he would, therefore conclude, by moving, "That a committee be appointed to inquire into the present political condition of the Ionian islands, and to report their opinion thereupon to the House."

Mr. *Leslie Foster* was fully convinced, that in all we had done respecting these islands, we had consulted the real interests of the inhabitants. What we understood by national independence was not really desirable for them. They had had an opportunity, from the early times of the French revolution, of ascertaining the nature of the protection of different powers, and were able to appreciate its value. The inhabitants of the Seven Islands were a peculiar people, distinct from the rest of Europe, being the only real descendants of the ancient Greeks. About a century and a half prior to the conquest of Constantinople by the Turks, the Venetians wrested these islands from the Turks, and the latter afterwards succeeded in possessing all the territories of the ancient Greeks, except these Seven Islands, which remained in possession of the Venetians as masters of them, till the French revolution, when the French bent their course towards these islands, and distributed over them missionaries of Jacobinism. The inhabitants being people of heated imaginations and lively tempers, adopted all the absurdities of the rights of man with as much enthusiasm as the fanatics of France, and a most horrible civil war arose in the islands between the democratic and aristocratic parties. At length the inhabitants were so fatigued with the contest, together with that of the struggle between Cephalonia and Corfu, for the seat of power, that in the year preceding the treaty of Amiens the inhabitants of Zante had come to the resolution of sending a deputation to this country, to invite us to take possession of their island that they might be under our protection. By a singular coincidence, before the answer could be received, an English officer, travelling in the Morea, probably for his pleasure, heard of this circumstance, and conceiving he could turn it to his advantage, landed on the island, and said the British government had sent him to take possession of it. He was accordingly received as governor, and it was but right to say of him, that he administered justice with mercy, and performed every function with propriety, except that of communicating with the British government. He continued in this situation for eleven months, and it was the opinion of every body on the island, that this was the happiest year they had ever known. When the combined Russian and Turkish fleets arrived to take possession of the islands, they occasioned the first doubt the British consul ever had that this person was not a recognized officer. He perhaps would have been put to death by the Turks, but he had the good fortune to escape in a boat. This was before the treaty of Amiens, at which time the greater powers of Europe could not come to any agreement as to who should possess those fine countries. He was there at the time in question, and the inhabitants generally expressed their astonishment at finding they were declared independent. Russia afterwards took military possession of the islands, and held them till the war between Russia and France compelled her to give them up to the French emperor. In this condition they remained till they were freed by our army; and now the question was, how far their complete independence would contribute to their happiness. At the time of the first peace they had no taste for freedom; for they had never been accustomed to any thing but oligarchy under the Venetian government, and it was an oligarchy of the severest kind. How, then, did the hon. baronet know that they wished for the complete independence he described? They would not desire such a patent gift from us, for a patent gift he must call it, because they were not able to protect themselves. They ever were apprehensive of that desolation from the Turks, which filled them with terror. The narrow arms of the sea, or rather rivers, which separated these islands from the Turkish shore, put them entirely at the mercy of the Turks; but now, while there was nothing but desolation and misery on one side, there was nothing, thanks to British protection, but peace and happiness on the other. He could say that no part of Europe presented such a delightful scene of cultivation, happiness, and civilization, as these islands; but it was clear that if they were left to their own protection, they could not preserve themselves twelve months from falling under the Turkish yoke. The only question he had ever heard amongst them was, whether it was better to belong to Russia, France, or England? They had tried Russia and had tried France, and it was not to be wondered at that they should prefer us; for they disliked Russia extremely, and detested France. They regarded Mahomet and the Pope as the two great deceivers of mankind, and they therefore had an idea that the church of England might easily assimilate itself to their own. He should offer only a few more observations. The inhabitants of those countries were, as he had said, of a very peculiar and ardent temper; it was impossible to pay too high a tribute to their general character. If any false view of economy should make this government consider the islands merely as a military station, it would be a matter of serious regret. But far from proposing that there should not be military forces in the islands, he should wish them to be fortified, but that it should be evident to the people that they should all be governed by their own forms. With such a liberal arrangement there could be no doubt that they would be found amongst the most valuable acquisitions of Great Britain. Our possession of the islands prevented the possibility of any other power erecting the standard of rebellion in the Morea; and on the whole, he thought that no possible arrangement which the British minister could have advised would have proved more beneficial to the people of those islands.

Sir *C. Monk* shortly replied. He said, that if, as the hon. gentleman contended, we had obtained the command of the Levant by the possession of the Seven Islands, it must at the same time be admitted that we had acquired the jealousy of the Turks. He had heard that the Porte had protested against the act of congress, by which the great powers there assembled had transferred them to our dominion. Turkey had a right to have been consulted in such an arrangement, as without her exertions, they could not have come into the situation of being so disposed of. The hon. gentleman thought that these islands would congratulate themselves on their good fortune in being placed under the protection of this empire. He was not prepared to allow the correctness of this statement: they had their own taste in legislation and government; they would be proud of their independence, and of the power of managing their own concerns. He inferred this, not upon vague and general surmise, but from a document which he had seen since the decree of congress was declared to them. The Ionian gazette, which contained a part of the convention by which the independence of the Ionian government was annihilated, had withheld the most obnoxious articles of it. It appeared from it, that a communication of some of the provisions of the act was made to the senate (thus acknowledging the existence of its authority), and that the senate was very guarded in its reply, as if afraid to compromise its rights, and unwilling to surrender them. It thanked the British government for what it professed to have done for the welfare of the islands, and expressed its hopes in British liberality for favours that were not yet bestowed, but said nothing of the acquiescence of the people in the arrangement of congress, or of their wish to enjoy the benefit of British rule. In short, it offered us no thanks for depriving this state of its independence, in the face of our own solemn declarations guaranteeing it. All those declarations were now forgotten, all our professions renounced, and our promises violated. The independence which we had conquered for the Septinsular government was the most complete subjection—a subjection even more marked than that of the colonies over which our dominion extended.

The motion was negatived without a division.

TRINITY HOUSE CORPORATION.] Mr. *Birch* rose, pursuant to notice, to make his promised motion respecting the necessity of an inquiry into the income and expenditure of the Trinity-house Corporation. His attention, he said, had been drawn to this subject during the last session of parliament. The more he reflected upon it, and the more information he acquired, the more the necessity and the importance of a parliamentary inquiry appeared. The taxes that the Trinity establishment levied upon the shipping trade of the country did not seem to be justified either by necessity or expediency, and the manner in which they were expended was sufficient to excite suspicion. To show how extravagant was the tax which this society levied upon trade, compared with the expense at which the great object it professed to have in view could be accomplished by another establishment, he would state a decisive fact. When it was lately contemplated to erect a light-house on the coast of the Isle of Man, the Trinity-house proposed an estimate to the towns of Liverpool, Bristol &c. for accomplishing that object, by which a penny a ton was to have been imposed on all ships passing to the ports on the west coast within certain limits. This tax was to have been perpetual. Happily the proposal of the Trinity-house was not acceded to; and the commissioners for the northern lights being applied to, performed the same work for the estimate of a farthing a ton, with an agreement to remit the duty at a certain time. All circumstances considered, the Trinity corporation demanded eight times the sum accepted by the northern commissioners, and would have derived a revenue of 16 or 17,000*l.* a year from the transaction. The whole income of this establishment he did not accurately know, but he could approximate the amount by calculation with sufficient accuracy to show its great and unnecessary magnitude. To do this only required the application of a simple rule of arithmetic to data which might easily be admitted. The commissioners for the northern lights had under their management 9 light-houses from which they derived a revenue of 25,000*l.*, at the rate of a farthing a ton for the shipping subject to their regulations. The Trinity house had 28 light-houses, seven of which were farmed, to which dues were paid of from one half-penny to three halfpence per ton. Here the duty was higher; and if we made allowance for the excess of the English over the Scotch trade, the proportional income of the two establishments would be still farther altered. If, then, nine light-houses gave 25,000*l.* on the northern parts of the island, where the dues were only a farthing a ton, it would not be too great an estimate to calculate the produce of 28 light-houses, at the medium of the rates specified at 174,000*l.* This income was enormous, and the means by which it was obtained were oppressive to trade. But this was not the only source of revenue to the Trinity-house. Besides the dues of the light-houses, they derived an income from ballast, from pilotage &c. The surplus pilotage alone last year amounted to the sum of 36,400*l.* The services which this corporation performed to the commerce of the country would by every one be allowed to be important; but still it could not but be evident that the powers by which they raised such a revenue, and the manner in which they expended it were proper subjects of parliamentary superintendance and inquiry [Hear, hear!]. He would direct the attention of the House to the rights and the powers of this corporation as acquired by their charter, that it might be seen how far they had exceeded them. In doing so he would not alarm members by threatening them with long investigation, or entering into legal subtleties; he would depend upon the authority of lord-chancellor Northington, as embodied in a decree which he pronounced in 1764, in a case that brought the powers and rights of the corporation into question. Here the hon. gentleman read a part of a decision of the noble and learned lord, which declared that the company of the Trinity-house should only be supervisors of the funds they managed, and not themselves interested. Their charter gave them the power of examining pilots, of erecting light-houses, &c. and allowed them to raise a tax in certain ways for defraying the expenses attendant upon the performance of those objects, accompanied with an order to dispose of their surplus income for charitable ends. With this last injunction they were not only expected, but forced to comply. The hon. gentleman next read an article of the charter made by James 2nd, to the corporation, which likewise stated the destination of their funds, and their power of holding courts in London and Middlesex. Notwithstanding the spirit of this decision, and the provisions of this charter, the income of the corporation had been improvidently wasted on objects quite foreign to its origin and the laws enacted for its regulation. The money which had been raised on the trade of the country, for the benefit of that trade, and the promotion of charitable ends, had been uselessly and reprehensibly squandered for the gratification of a taste for show, or purchase of articles of luxury; he alluded to the splendid establishment of the Trinity-house, the Trinity-yacht, and the entertainments given by the brethren. He called upon the right hon. gentleman, opposite (Mr. Rose), who appeared to smile at what he was saying, to declare upon what authority the revenues subjected to the management of this corporation were so expended. He would ask, moreover, if they were merely "supervisors and not interested," upon what grounds they were allowed to subscribe to the public loans of the minister? It appeared that they had received, in the course of five years past, from their funds, the surplus sum of 36,000*l*. This he learned from the accounts laid on the table of the House. In 1811 there was a surplus of 9,000*l*; in 1812 there was a surplus of 5,400*l*.; and during the last five years an aggregate of 36,000*l*. Had this sum, as it successively accumulated, been laid out at interest, it would have produced a sum to the establishment of 3,200*l*. Was it so laid out? and if so, how was the disposal of the interest accounted for? The circumstance alone, that there appeared no document to show how this sum was managed, appeared to him sufficient to excite jealousy, and call for inquiry. It thus was evident, that more money was collected than could be properly expended, and that there remained a large surplus, for which no object could be found. Should not some of the duties in these circumstances be remitted? To demand more than was necessary was surely very impolitic, as it was certainly detrimental to trade. By imposing heavy duties on foreign shipping, we both supplied the motive, and furnished the justification to foreigners to tax us heavily in their ports in return; thus really injuring ourselves, while we appeared to derive a profit from others. It was clear that the Trinity-house had more money than it could properly spend, and like individuals in the same situation, were obliged to resort to extravagance and follies to squander it: he alluded to the splendour of the Trinity-house building, and the expenses of Trinity-house entertainments. But it might be said, that if the income of this corporation was great, its expenditure was likewise great. This he allowed. Some of the expenses were extravagant. For collecting the revenue of the light-houses 10 and even 25 per cent. were paid, which was a rate far above the charge of collection in the establishment subject to the northern commissioners. Our shipping had doubled itself in the last thirty years, and as the income of this corporation increased in proportion, it was alarming to contemplate to what extent this income might grow, should our commerce as promised by the right hon. gentleman opposite, advance in future at the same rate of progression. The management of this corporation, like that of almost every other, was intrusted to a few individuals, whose conduct the rest sanctioned without suspicion or examination. The dukes, and marquises, and right honourables, who were members, left the efficient direction to those more interested or more active, and contented themselves with the turtle-feasts to which they were invited, or the patronage which they enjoyed from this connexion. In such a body it would be too much to suppose a complete absence of interested motives or political bias. There was, in fact, great patronage—receiverships to be given away, surveyors appointed, and friends to be gratified. No wonder, then, that his motion should be threatened with opposition—that extensive alarm should be excited by the very agitation of the question in the House or aversion expressed at every hint of inquiry. The House should, however, disregard those feelings, and as it had undoubtedly the power of examination it should manifest the resolution to make a deliberate scrutiny and an effective interference. He hoped support from the right hon. gentleman opposite who seemed so much amused with some parts of his speech. He concluded by moving, "That a select committee be appointed to inquire into the income and expenditure of the Trinity-house and ordered to report their opinion to the House."

Mr. *Rose* said, that even if he had not been the only member who belonged to the Trinity company, he could not have resisted the personal appeals so frequently made to him in the course of the hon. gentleman's speech. The hon. gentleman spoke of the anxiety manifested by the members of the corporation on the subject of his motion. He did not know from what symptoms this anxiety was drawn. He himself had shown none, and felt none. So far from entertaining any feeling of this kind, he had never even been induced from curiosity to inquire into the hon. gentleman's object. He anticipated no serious charge, and he was convinced that none had even been brought. The House would agree with him, after a short explanation, that there was not the slighest ground for inquiry, or for those suspicions which the hon. gentleman expressed as the motives for instituting it. The first circumstance he mentioned reflected no suspicion on the Trinity-house. The facts were simply these: application was made to the Trinity-house by the merchants of Liverpool to erect a light-house on the coast of the Isle of Man. They in consequence directed a survey. The survey was made—the estimate for the work was stated. It was not proceeded in by the Trinity corporation, owing to the expense calculated. In the mean time the commissioners for the northern lights were applied to, and under their management the work was accomplished, as they agreed to do it at a smaller expense than the Trinity-house estimate. This last corporation had the exclusive right of erecting light-houses over the coast of England and Wales; so that without their consent the northern commissioners could not have been employed. The Trinity-house, however, did not exercise its rights on the occasion: it did not interfere. It said to the parties, the company have given an estimate—you think that estimate too high—we think the work cannot properly be executed on cheaper terms; but if you think otherwise we do not hinder the experiment; take the lowest estimate. Was there any thing blameable in this conduct? was there any thing inconsistent with the greatest liberality, or any thing that laid the ground for legislative inquiry? The hon gentleman had spoken of the revenue of the Trinity-house, and had, from fallacious principles, very much overstated it. A multiplication table was not here sufficient. Because the light-houses in Scotland produced so much at a certain rate of duty, it did not follow that a mere arithmetical operation, founded upon that produce, could give the amount of English duties. The fact was, that there was a great exaggeration in the statement of the hon. gentleman. In 1805 the revenue of the Trinity-house was only 29,000*l*, instead of 174,000*l*.; and in 1815 it did not exceed 60,000*l*. At this sum the revenue at present stood [Here the right hon. gentleman was asked across the table, if he referred to the gross or the nett revenue?]. He referred to the net revenue, after deducting all the charges of the lights, &c. The surplus pilotage, of which the hon. gentleman spoke, had been laid before the House, and no attempt was made to conceal its existence or amount. Was there here any reason for suspicion or inquiry? Then the hon. gentleman discussed the powers vested in the corporation by their charter, and applied to lord chancellor Northington's interpretation of them. That noble and learned judge was a good lawyer, but he did not know much about light-houses. He might quote, in opposition to his authority, the authority of my lord Coke, as good a lawyer, and much nearer the time when the charter was granted. The hon. gentleman complained of the splendor of the building of the Trinity-house. This took place twenty years ago; the expenses had been paid, and no suspicion was excited till now. Was this transaction a sufficient ground for inquiry into the present management of the society's funds? The building might be justified on other grounds, as not much exceeding in splendor edifices for similar purposes, as having little more than accommodations for the necessary performance of business, and as not having cost much more than the estimated expenses of the least house that could be suitably recommended. The yacht of the Trinity-house which had called forth the jealousy of the hon. gentleman, deserved it still less. There could not have been one found, the price of which could have been diminished by 500*l*., although the attempt had been made. It was a mistake to suppose that this yacht was an article of show or luxury. It was necessary to the establishment, as in it the officers visited the different parts of the coast, going as far as the Scilly Isles, Eddystone lighthouse, &c. The hon. gentleman surely would not send them on such expeditions in a coal-lighter. The complaint against the luxuries in which the members of the society indulged was equally unfounded. It was not true, then, as had been represented by the hon. gentleman, that the lights were more expensive than was necessary. It was needless to dwell on their importance, and the Lizard lights alone had cost 12,000*l*. That foreigners should not be too well instructed in the nature of our coast had been always considered advisable; and the House should recollect, that the expense of the lights had been trebled by the new improvements. In addition to this, the corporation supported 108 alms-houses, and 6,000 widows and orphans. Many of the new sea-marks were erected without levying any tolls towards defraying the cost of them. He was satisfied that the elder brethren had not put one shilling into their own pockets; but, on the contrary, had on various occasions, signalized themselves at the hazard of their lives in the service of their country. Such men ought not to have their reputation blasted by a declaration that there existed a jealousy of them in that House. The highest salary paid to them was 1,090*l.* for the performance of sometimes very arduous duties. Upon the whole, he considered that the hon. gentleman had made out no case for the interference of parliament, although it was certainly competent to him to move for the production of the accounts.

Mr. *Barham* said, that no character could be considered as blasted when an inquiry was proposed. No man had a higher opinion than himself of the merits of the corporation, and he certainly thought the brethren deserving of praise. Yet he rather wished to have had an explanation founded on the authority of a committee, than on that of the last speaker. For him he felt the highest possible esteem, but he would prefer the security afforded by the authority of a committee.

Mr. *W. Smith* could see no reason for refusing a committee, when it was stated by his hon. friend that the gross sum paid by the shipping of the country to the Trinity-house, amounted to 174,000*l.* He thought it was right that the House should examine, whether a greater burthen was not laid on the shipping of the country than was necessary for the purposes to which the produce of the impost was said to be appropriated.

Mr. *Curwen* said, that a number of letters sent to the Trinity board, by persons who had a right to ask for relief, had, to his knowledge, remained unanswered for years. He thought, therefore, that some examination should take place, in order that the individuals who preferred such claims might have a reason assigned them for their prayers not being attended to, while those of other persons were successful.

Mr. *Birch* disclaimed any idea of injuring the characters of the gentlemen at the head of the Trinity-house. He was actuated by the purest motives in bringing the question under the consideration of parliament. In consequence of the representation which had been made to him by some hon. friends near him, he would, with the permission of the House, withdraw his motion.

The motion was accordingly withdrawn.

PETITION OF THE ROMAN CATHOLICS OF GREAT BRITAIN]. Mr. *William Elliot* rose with the petition of the English Catholics in his hands, and spoke to the following effect:—Mr. Speaker; although it is not my intention to make any other motion than merely that this petition should lie on the table, yet as the subject of it is immediately connected with the motion which is about to be made by my right hon friend near me (Mr. Grattan), and as the interests of the petitioners are, as I think, comprehended in my right hon. friend's intended proposition, I should not feel that I had faithfully discharged the trust reposed in me by the petitioners, if I were not once more to call the attention of the House to their circumstances and situation. The petition, Sir, which I am about to have the honour of presenting, is from that numerous and most respectable class of his majesty's subjects, the Roman Catholics of Great Britain: among whom are to be found the names of some of the most ancient landed proprietors in this island—the names of some of the most illustrious of our families—of families signalized by their memorable achievements in the most splendid periods of our military history, as well as of those who have been distinguished by their spirited and persevering assertion of the rights and liberties of their countrymen—the names of persons residing on the estates which have devolved to them through a long succession of virtuous progenitors, and who dispense around them that beneficence which becomes the descendants of such ancestors—the names also of many of your most valuable manufacturers, who have largely contributed by their skill and industry to the wealth and prosperity, and by contributing to the wealth and prosperity, have contributed to the power and resources of the state. That this is a true description of the character and condition of the petitioners, the signatures to the petition sufficiently testify. For proof of the uniform loyalty of their demeanour, and of the patience which they have exhibited under the pressure of the most galling grievances, I appeal to the observation of every one who listens to me [Hear, hear!]. There is no class of the community which has evinced a stronger attachment to the monarchy, and to the hereditary succession—no class which has evinced a stronger attachment to the laws and constitution of the realm. This attachment, Sir, has been manifested in the hour of peril—in the hour when our very coasts were menaced with attack. If a foreigner were to come to this country, acquainted with the efforts made by us during the last twenty years, but imperfectly versed in our code of legislation, the first reflexion that must occur to him would be, that if any religious distinctions were observed at all, the petitioners must be the objects of preference and favour; and great would be his astonishment to discover that, on the contrary, they were subjected to severe restrictions and multiplied disabilities [Hear, hear!]. Nor can it be a pleasing reflexion to the petitioners, that the principle of restraint has not remained unmodified, as it affected the Catholics of other parts of the empire. When Corsica formed a portion of his majesty's dominions, the profession of the Catholic religion was no obstacle in that island to the enjoyment of equal rights and privileges. In the only Catholic colony which we now possess—Canada—the profession of the Catholic religion imposes no restriction on the professor. Even in that country, to the petition from which, my right hon. friend will this evening claim your attention, much has been done for the Catholic population—so much, that although what remains to do is important for the Catholic to receive, it is not important for you to withhold [Hear, hear!]. For instance, you have given to the Catholic of Ireland the elective franchise. By the English Catholic it is not enjoyed. A Catholic in Ireland may graduate in the university of that country. A Catholic in England may not graduate in the English universities. A Catholic in Ireland may become a justice of peace. From that office an English Catholic is interdicted. And why is this? Why, I ask, are such men as sir Harry Englefield, or sir George Jerningham, or sir John Throckmorton, or others of the numerous body of respectable English Catholics—men indisputably attached to the king and constitution—to be debarred from filling situations of trust and honour; and why is the country to be debarred from enjoying the benefit of their exertions? Why is a duke of Norfolk, or an earl of Shrewsbury, or an earl of Surrey, or a lord Clifford, or a lord Arundel, or a lord Petre to be disqualified for holding the office, not of a justice of peace merely, but of a lord lieutenant of a county? [Hear, hear!]. Sir, the laws by which such men are excluded from serving their country are a disgrace to our statute book. Again, Sir, as in Ireland there are many civil offices open to the Catholics of that part of the empire, from which in England the English Catholic is shut out, so also the military profession there is open to the Catholics to a certain extent, while here, if a Catholic wishes to enter the army, he must first cross St. George's channel, he must obtain a commission on the Irish establishment, and then he becomes entitled to rise to the rank of colonel. What sense is there in such an anomaly? And what sense is there in the restriction which prevents even an Irish Catholic or an English Catholic obtaining a commission on the Irish establishment, from rising above the rank of colonel? The whole army is under the control of a Protestant parliament and a Protestant monarch. In Ireland, where the army is entirely Catholic, several regiments may be combined at the discretion of the Crown, and the officer commanding them being only a colonel, may be a Catholic. A colonel on the staff may also be a Catholic. And yet there are persons who continue to think that if this colonel were advanced a step, if he were made a general, the whole state and safety of the country would be hazarded. Sir, these are disgraceful and dangerous blemishes in our constitution. Their only tendency is materially to diminish our national strength. We have now terminated the severe struggle in which we were so long engaged; we are at leisure to adjust and regulate our domestic interests; and I trust we shall revise and erase this code of weak and injurious policy. I hold in my hand a petition, the nature of which I have described, from persons whose characters are as well known as they are irreproachable. There lies on your table a petition presented by my right hon. friend from the great body of Catholics in Ireland, from men eminent for their loyalty, from men of large property and extensive influence, who have couched their application to this House in terms that cannot fail to make a favourable impression—who have urged their claims with a temper calculated to insure their attainment [Hear, hear!]. Sir, I trust that parliament will not be turned aside from the consideration of the wishes of these petitioners by that irritation which has been here and there manifested on the subject in Ireland—that they will not be deterred from doing justice by any seditious passages in pamphlets, or false statements in newspapers, or intemperate expressions in speeches made under the influence of warm feelings, or in some cases, perhaps, by persons actuated by a wish to obstruct, for their own purposes, the attainment of the object for which they professed to be solicitous [Hear, hear!].—This at least I hope will be considered—that in our present position we cannot remain. Backward or forward we must go. There are but three courses of policy which it is possible for any one to recommend with respect to this subject. The first, which I presume no person here is disposed to advise, is to retread our steps, to re-enact the penal laws which we have abrogated, to deprive the Irish Catholic of his property, of his education, of his religion, to grind him with the full weight of tyrannical power. The second, which appears to me quite as impracticable and visionary, is to stay where we are, and to close the question. To close the question! Sir, you may as well talk of stopping the tides, or resisting the laws of gravitation, or interfering with effect in any other of the great operations of nature. Is it possible that any one can imagine that when you have raised a man in the rank and estimation of society—when you have given him property—when you have conferred upon him rights—when you have opened to him (to a certain extent at least) prospects which he never before enjoyed—is it possible to imagine that that man, feeling the spirit of emulation which Providence has wisely implanted in the breast of every human being for the benefit of the community—is it possible to imagine that he could be induced tamely to relinquish the advantages which he has obtained? [Hear, hear!]. If so unnatural an apathy were to be exhibited, it would indicate a most disordered state of the human faculties. There is yet to be considered a third course of policy to go on. The two great objections to further concessions no longer exist. The one was the temporal power of the Pope. Of that who now entertains any apprehension? The other was the danger of a disputed succession. That died with the Pretender. And as to guards, have we not guards in abundance? Have we not a Protestant crown and a Protestant succession? Have we not a Protestant House of Lords and a Protestant House of Commons, secure from all risk of Catholic influence? Are not the great bulwarks of our establishment unassailable? Is not our venerable church defended by a clergy powerful in their talents, powerful in their education, powerful in those family connexions by which they are attached to all that is respectable in the empire? Weigh the remote and contingent danger which some persons apprehend from concession to the Catholics, with the positive and immediate danger which must result from rejecting their claims—with that ferment which will be at work in the very heart of the country—with that fever which will prey upon your very vitals, disturbing and destroying all the functions of the state; and when you have done this, can you hesitate or balance between the two courses of proceeding? [Hear, hear!] Sir, in saying this, I beg leave again to guard myself from being supposed to imply that if the measure of Catholic emancipation were adopted, sudden and complete tranquillity would be the consequence. But this we know—that the refusal of the Catholic claims, is at present a great source of agitation. It is not, therefore, irrational to expect, that if we remove a great part of the cause of the existing evil, a great part of that evil will cease to exist. Much, Sir, in human affairs and in human policy, depends on the choice of the moment in which any step of consequence is taken. We have already lost many precious opportunities of setting at rest this important question. We lost the opportunity (which I shall ever regret) of doing so at the Union. Another opportunity now presents itself. We have arrived at the termination of a long and arduous contest—a contest which I have ever considered, and which I shall ever consider, to have been wise and necessary. During its continuance great sacrifices have been made by every class of the community, Sir, it is not my own opinion only—it has been the opinion of a great majority of this, and of former Houses of Parliament, it has been the opinion of a great majority of the public, it has been the opinion of the great body of the ecclesiastical establishment of the country, that in the late severe and protracted contest, a contest not for renown, but for independence and security, a contest for the preservation of our establishments generally, and particularly for the preservation of those ecclesiastical establishments, of which no man is a more warm and sincere friend than myself, although all descriptions of persons have contributed to the success of the awful struggle, yet that no persons have made greater efforts, or have shed their blood with more prodigality, than the Roman Catholic subjects of his majesty [Hear, hear!]. Sir, the conjuncture has now arrived when we ought to regard with the utmost attention the state of the internal policy of the empire. We have peace abroad—we must have peace at home. What we now give will be given as a matter of favour—as the result of a wise policy—as proceeding (if you please) from our magnanimity, not as wrung from us by necessity of apprehension. The petitioners, give me leave to repeat it, having shared our burthens, having partaken of our danger, having contributed to our glory, are entitled to the enjoyment of our constitution. They do not attempt to dictate to parliament the course which ought to be pursued. All they do is, to request—to supplicate—this House to legislate for them; trusting, that in according to them their wishes, parliament will impose no conditions incompatible with their religious, honest, and conscientious scruples [Loud cheers from all parts of the House].

The petition was then read, setting forth,

"That the petitioners humbly beg leave to represent to the House, that, at the time of his majesty's accession to the throne, the British Roman Catholics were subject to many penal and sanguinary laws; that, by the acts of the 18th and 31st years of his present majesty's reign, many of these laws have been repealed, but that many are still in force, and have the most distressing operation on the petitioners; that the petitioners remain subject to them merely on account of their refusal of certain religious tests, oaths, and declarations; that their refusal of these is solely owing to their conscientious adherence to principles merely of a religious nature, and not conflicting in the slightest degree with any moral, civil, or political duty; that the petitioners have at different times presented petitions to the House for relief from the laws remaining in force against them, and they are truly grateful for the full and benign discussions which their petitions have received; they now again approach the House, and, with the most perfect reliance on its wisdom and humanity, most humbly pray that the House will again take their case into consideration, and grant them such relief as the House shall deem proper for extending to them the enjoyment, in common with their fellow-subjects, of the blessings of the constitution."

Ordered to lie upon the table.

ROMAN CATHOLIC QUESTION.] Mr. *Grattan* observed, that his right hon. friend who had just addressed the House had argued this question so justly, so wisely, and with so much honour to himself and his country, that he had really left him (Mr. Grattan) very little to say on the subject. He begged to return his best thanks to the House for the extreme patience with which, on various occasions, they had listened to the repetition of his opinions ou the claims of the Catholics. Again he had to intreat their candour, which would again be followed by his gratitude. It had been repeatedly urged in hostility to the claims of the Catholics, that those claims ought to be advanced with more temper, and that a greater attachment ought to be exhibited to the existing institutions of the country. It must be most satisfactory to the House to observe, that the Catholics now grounded their hope of obtaining their liberties, or their rights, or their claims, or by whatever name the concessions to them were to be called, on evincing a disposition not merely to acquiesce, but heartily to concur, not in form only but in act, in such terms as that House might think necessary for the preservation of the Church establishment, and of the Protestant succession to the throne. The known wishes of that House could not, indeed, fail to make a due impression on their minds; and having considered the whole subject, and the absolute necessity of expressing their attachment, not to the Crown only, but to the Protestant succession, the Catholics of Ireland had presented a petition, from which he begged leave to read some extracts. [The right hon. gentleman here read several passages of the Catholic petition, the tendency of which was to express the anxious wish of the Catholics, that the great measure of emancipation should take place, under such circumstances as might render it satisfactory and unobjectionable to all classes of his majesty's subjects; inasmuch as, in their opinion, the public benefit to be derived from it would be the union, in the bonds of concord, of the various religious persuasions of the empire; and the removal of those jealousies and apprehensions which at present prevented a cordial co-operation for the public good. They also declared it to be their duty to state, that they were ready to submit and conform to any regulations not incompatible with the principles of their religion, or threatening with danger its pure and permanent exercise; and that while they fully relied on the liberality and justice of the legislature, not to impose any conditions inconsistent with their religious persuasions, they were convinced that an adjustment might take place conciliatory to the Protestant mind, and at the same time compatible with the principles of their faith and discipline. This petition was signed by above nine hundred persons, many of them of the highest rank [Here the clerk, by the desire of Mr. Grattan, read a number of the names, comprehending a large portion of the Irish nobility]. The House had desired to have certain declarations on the part of the Catholics, and the Catholics had given him a petition to present to the House, in which those declarations were explicitly made. The House had exacted certain terms, and with those terms the Catholics had complied. He held in his hand a letter, for the authenticity of which he could vouch, directed by the pope to be written by cardinal Litta to Dr. Poynter, touching the conditions with which the legislature of this country wished to accompany any concession to the Catholics. The letter set forth the forms of these oaths, which were very little different from those at present taken by the Catholics of Ireland, and though the oath which was to be taken by the bishop was thought in itself a sufficient security, yet his holiness did not hesitate to permit those to whom it appertained to make out a list of the candidates for a bishoprick, which list was to be presented to the King's ministers, in order that if any one of such candidates were disliked or suspected, his name might be expunged from it. The letter went further and said, that as soon as the British government shall promulgate emancipation to the Catholics, his holiness will send a brief to the Roman Catholic bishops to the above effect, and publish to the universe his grateful sense of the generosity and clemency of the British government, and finally permit the bishops to observe what was before stated with regard to the oaths and to the mode of elections. Here then (continued Mr. Grattan), upon the granting of emancipation, was that power given to the Crown, which had been so frequently demanded as its condition. He had been often, on former occasions, asked what plan did he bring, in order that emancipation should be granted? What plan could he propose for the security of the Protestant religion, as by law established? In order to be able to answer such question on the present occasion, he had, with a great deal of pains, possessed himself of good information on the subject. He was acquainted, through a most authentic channel, with the sentiments of the pope on this great question, and the pope had expressed himself, that if emancipation was now withheld, the fault was not his. The pope had very fairly said—"Why will the parliament not legislate for the Catholics? I am not indisposed to withhold my assistance" [Hear, hear!]. If, then, he (Mr. Grattan) was asked on the present occasion, where are your securities? He would say—"Here are my terms, they are the terms on which you wished heretofore to grant emancipation, and if you now refuse them you refuse what you so anxiously sought for, and considered as securities" [Hear, hear!]. He would ask the House how many petitions had been presented to them this session against the claims of the Catholics? He wished to have all or any of such petitions read. None could be read. None had been presented. What, then, was the inference? That the great body of the Protestants were not inimical to the claims of their Catholic brethren. He would not go so far as to say that there were not many Protestants who still opposed Catholic emancipation; but it would not be presuming too much in him to suppose, that where so many petitions had been presented on a former occasion, all or most of which were against emancipation conditionally, and none on the present, there did not exist any general opposition to it in the minds of the Protestants. There, then, was no general prejudice to contend against on the part of the Protestants, and there was sufficient authority to show that they could legislate in respect of concessions for the Catholics. The Catholic bishops had, in 1799, agreed to certain resolutions, which declared that the concessions which were then, and have been since demanded, were not hostile to the discipline of the church. The pope himself not only declares that such concessions may be granted, but has actually granted them, provided the Catholics be emancipated. This then, would be one good effect of the committee for which he intended to move—it would show to some of the Catholics, that those concessions to which they objected were not only not against the discipline of the church, but accordant with its practice.—He would not take up the time of the House by mentioning in detail the grievances which at present afflicted Ireland. They might be classed under a very few heads. She had commercial and financial difficulties; but a great deal of her present misfortunes might be traced to religious animosities. The causes of the other evils of Ireland might be removed with perhaps little difficulty. But it would not be easy to remove many of the evils which arose from religious distinctions, and the effect of the penal code, without a particular investigation. To this inquiry he called the House; by it they would reduce those who made religious differences a pretext for disturbance to a mere banditti, because the removal of that pretext would be the result of the inquiry; and having no foreign power to aid them in their wish for disturbance, they would die from jejunity. If the result of the inquiry which the House might enter into, did not satisfy some of the Catholics, it should be recollected that the duty of the House was to serve, not to satisfy them: and if they succeeded in the former, he trusted they would have firmness and spirit sufficient to act upon that conduct which justice and duty should point out. Most of the evils which at present afflicted Ireland were not to be attributed to the system pursued by one or another chief governor. He by no means wished to attribute them to such cause. The fault lay in the law, which obliged the government of Ireland, to act with a marked partiality to one sect. Until this defect in the law was remedied, it would be impossible for any chief governor of Ireland to act impartially. The fault, then, of the misgovernment of Ireland, as far as its government was affected by the operation of the penal code, rested with parliament, who had it in their power to repeal that code. Almost all the evils which afflicted Ireland, whether they originated in this code or not, were fostered and fomented by it. The united Irishmen had not originated in religious animosities, but their disturbances had at length turned into that disordered channel. Thus it ever would be. There was something radically bad in the laws, and as long as it was not remedied, so long would it continue to be the nurse of every evil which arose in the state, whether originating with itself or not. A sore on the finger might, though in itself not very dangerous, be turned to mortality. It was the same with the body politic: small evils might thus become the channels through which great miseries might flow on the state [Hear, hear!].—The right hon. gentleman then contended, that it was essential to the security of the empire, that the evils which existed in any part of it should be traced to their source, in order to prevent their spreading, or being the cause of others as pernicious as themselves. He observed, that the societies of Orangemen which caused so much disaffection between Protestant and Catholic in Ireland, had arisen from the effects of the penal code. Another evil which arose from it was, that the people of Ireland, he meant the Catholic population, were not identified with the law. The advantage of that identification would be to unite all in defence and support of privileges which all equally enjoyed; but this advantage, which was contemplated by the union, was lost by the continued existence of partial laws, which, while they obliged the Catholic to defend the constitution, gave him little or no share in the privileges of that constitution. It was in vain, then, to expect that while such partiality existed, the great body of the Catholics could be identified with the laws. So long as this code of laws remained unrepealed, so long would there exist in the state a large body of men of whom the government must necessarily be afraid, and to overawe whom it would be necessary to support a large standing army [Hear, hear!]. This was a necessary consequence of the penal code, and not its least obnoxious one, as it tended to draw on a military government. It was true the soldiers so employed might not be badly disposed, but as long as the soldiers in any country exceeded a fair proportion of the population, so long was the liberty of the inhabitants held, not by the law, but by the clemency of the army. He had every respect for the army, he applauded them for their unparalleled victories and for their strict discipline; but still he could never consent that British subjects should hold their liberties at their pleasure [Hear, hear!]. He did not mean to say that the support of a large standing army was the intention of the continuance of the penal code, but such was its effect. It was necessary that this army should be kept up in order to keep down a proscribed people. It was also necessary that this army should be paid at a vast expense to the country. And for what was all this expense and this risk of a military government incurred? To keep such men as the duke of Norfolk and the earl of Fingal out of parliament, lest, if they got a seat there, they should seek by treasonable conspiracies, to overturn the constitution [Hear, hear!]. But why should these, or any other Catholic noblemen seek to overturn the constitution, when they were admitted to a participation of its privileges? Or, if they were so disposed, how could they effect it? Would it be by applying to France? No. To Spain? No. We were in peace and amity with those powers. Was it, then, to the pope they would apply? Such an idea was ridiculous. The pope had not the power, nor if he had, was he disposed to exert it. Yet it was for this we were obliged to keep up a large standing army, to prevent a few noblemen from doing that which they would not do if they could, and could not if they would. Yet these were the idle fears for which we were called upon to make such sacrifices. He begged leave to add, that the empire, according to the admission of all parties, was at present in a state of great splendour. We had made great additions to it by conquest, and it required large standing armies to keep those conquests. Why, then, should we add to the number of our troops, in order to keep a part of our fellow-subjects as aliens in their native country? Such conduct was most absurd and impolitic, and tended greatly to reduce the strength of the empire. Here, then, was the danger which was to be incurred —and for what? For refusing emancipation on those very terms on which it had been opposed some time back. The opponents of emancipation feared some time since, that by granting that measure, they would be granting an influence to a foreign power; that fear was now done away, by the terms which he (Mr. Grattan) proposed. The terms would place the Catholic prelates out of the danger of any foreign influence, and sufficiently under the power of the Crown, for any security which it could demand. He begged the House to be on their guard against any thing like recrimination on the Catholics. It would not be politic to refer back to ancient dates of history to see what had been done on former occasions by them. It would be sufficient to know, that in 1782, we had made most important concessions to Ireland, which we should not now retract in part, by refusing the benefits of our law to three-fourths of its inhabitants. It had been once said that Ireland would not receive the English law when it was pressed upon her. The House should not now act upon a contrary principle, and refuse those benefits to so large a portion of the Irish population, who would receive them with joy and gratitude. The right hon. gentleman then moved "That this House will, early in the next session of parliament, take into its most serious consideration the state of the laws affecting his majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of his majesty's subjects" [Loud cries of Hear, hear!]. This resolution, he observed, was precisely similar to that proposed by a right hon. gentleman not now present (Mr. Canning), at a former period, and which he adopted as being more likely to meet the general sense of parliament. All he wished was, to put the question upon its legs, so that the petitioners might not be sent away with a refusal. With that view he wished to leave the House and the country free to form their own conclusion, at the same time suggesting, that if they wished to seek concord, their first object should be to repeal those laws which at present placed the Catholics without the pale of the constitution.

Sir *Henry Parnell* having presented the petition of the Catholics of Ireland to the House wished to take the earliest opportunity of offering himself to its notice. When he first was informed of the intended motion, which his right hon. friend had just now made, he felt disposed to disapprove of it, as not being that motion which the circumstances of the case required. He thought the motion ought to have been one, "for the House to resolve itself into a committee of the whole House to take the petitions of the Catholics into consideration, with a view to proceed in case it was carried, to a legislative measure this session." But, upon consulting several members on the subject; and also upon consulting the late period of the session at which we had arrived, it appeared to him impracticable to attain a measure of relief at present; and therefore he had abandoned his first opinion and willingly seconded the motion of his right hon.

friend, as being that which was best calculated to secure a majority in favour of the petitioners. In respect to the sentiments of the Catholic body at large, whose petitions he had presented, he felt, viewing the political relations of the question, that they would not throw any unfair and unreasonable impediment in the way to obstruct any course of proceeding, or any view of the subject which parliament might think proper to adopt. As to the question of ecclesiastical securities, they had already proved their intention to abstain from expressing, by resolutions or otherwise, any further opinion, in addition to those already known, by the line of conduct they had pursued concerning the letter of cardinal Litta. The House would not, however, lay down a rule for their government, different from that which was allowed to all other members of the community, and which admitted the free discussion and declaration of public opinion on all matters of great public interest. The petitioners had further evinced their readiness to meet the reasonable expectation of the House, by endeavouring to remove a supposition, that they were hostile to the head of the executive government, and to the ministers of the Crown. They had presented an address to the prince regent, and, if ministers had acted in respect to it, with the usual courtesey on such occasions, by publishing it in the Gazette, the House would have learnt from that document, a most accurate, but most respectful description of the numerous grievances which still oppressed the Catholic body. On the subject of ecclesiastical arrangements, the hon. member said, he would not at present make any observations. These would be more applicable to a motion, which an hon. baronet (sir J. Hippisley) had given notice of for next Tuesday. He would confine himself to the general question of the policy of the repeal of the penal code; and he hoped that course would be followed in the debate, as the best calculated to bring the House to a clear and satisfactory decision. In considering this great question, that of the present state of Ireland was necessarily involved in it. What this was, had been already in a great measure developed by the chief secretary for Ireland. But that right hon. gentleman in all his speeches on the subject, had committed one general error, that of leaving out of sight the bearing of the penal code upon those disturbances and those difficulties which had baffled all the efforts of the Irish government. So long as the right hon. gentleman and the House shut their eyes to this great feature of the case of Ireland, their opinions and their measures would continue to be, as as they ever had been, one regular succession of errors and failures. The right hon. gentleman had stated, that the leading characteristics of the evils which prevailed in Ireland were the general disobedience to the laws, and the difficulty of administering them. It could not be denied that these evils existed. But when the right hon. gentleman and others, in another place, attributed them to the moral depravity of the people, they endeavoured to defend the faults of the government by unjustly aspersing the character of the people. The cause of these evils was not this moral depravity of the people, but the Catholic penal code, as would clearly appear on a candid examination of the question. To understand the real state of society in Ireland, and to account for its several ranks being in a situation with so little connexion to each other; and without those several gradations, which in all other countries were to be found preserving it in its proper proportions, it was necessary to look back to those great political events which had most distinguished the page of Irish history. The derangement in the ranks of society, which at this day existed, was to be accounted for only by that century of conquest and confiscation, by which all the natural proprietors of the soil were dispossessed, and their lands placed in the hands of the English followers of James 1st, Cromwell, and William the 3rd. Under this system, at the time of the Revolution, the whole of Ireland, with the exception of a very few estates, had been confiscated; and the necessary result was, the total separation of feelings and interests between the poor Irish occupiers of the soil, and their new English masters, who had become the proprietors. To secure their possession, those persons who had no other title but that of confiscation, invented the expedient of keeping the mass of the people in ignorance and poverty, and in a state of weakness and submission, by passing acts of parliament, having for their ostensible object to prevent the growth of popery; which was a mere pretext, their real object being to deprive the old proprietors of all political power and all chance of ever being able to recover their properties. Under such circumstances, it was not to be wondered at, that the people hated and opposed the laws, and that they considered them as their bitterest enemy. When, therefore, it was taken into consideration, that these laws still existed, could it be a matter of surprise, that strong prejudices should even now prevail against them? more particularly as the same principle of administering them, the principle of the Protestant ascendency, was still in full force and vigour. It was to this universal confiscation of all the estates in Ireland, supported by the Catholic penal code, administered by a small colony of strangers, that every thing that existed, even at this day, to be regretted and to be reformed in Ireland, was to be traced, and not to any inherent depravity in the people, or to any aversion on their part, to become peaceable citizens under a liberal and protecting system of government. While the people in the early part of the last century continued, in consequence of the active operation of the penal code, in a state of ignorance, poverty and subjection, the system of the Protestant-ascendency government was able to preserve internal tranquillity. But in proportion as the people had greatly increased in numbers, and had become intelligent, enlightened, and independent, as they certainly had in the course of latter years, their discontents have broken forth, and have led to their successful efforts to carry on plans of extensive disturbance of the public peace, and to defeat the civil power in its exertions to suppress them. In point of fact, the system of governing Ireland on the principle of the Protestant ascendancy, was wholly unequal to the object. The whole force of Protestant sheriffs, Protestant magistrates, Protestant constables, could now no longer uphold and administer a system of law founded, and therefore disliked, on this principle of religious ascendency. Nevertheless, it was under these circumstances, that the British government came forward and asked for an army of 25,000 men, to support the exhausted efforts of their mistaken rule of government. If, instead, however, of assuming false causes to account for the evils which prevail in Ireland, the House would take a wiser course, and acknowledge that the true cause of them all was the existence of the penal code, they would be led to adopt the true remedy, by admitting the people into the constitution, and by giving a just political weight to those Catholics, who were most worthy of possessing it. This was all that was necessary to be done. The House had only to accede to the prayer of the petitioners (to admit them into the full and unrestricted enjoyment of the constitution), to secure every thing that could be desired, for correcting all the evils which existed in Ireland, and for preserving a permanent state of internal tranquillity. On the other hand if the system of the right hon. gentleman was adopted, it was only necessary to look back to the measures of the last fifteen years, to be satisfied that it would completely fail. In the course of that period, the government had had their own uncontrolled sway, in making use of every practical measure of force, for subduing the discontents of the people of Ireland. The history of it was a history of a succession of acts for martial law; the suspension of the Habeas Corpus; Insurrection Acts; Arms Acts, and Peace Preservation Acts. Yet the result of the whole was the statement of the right hon. gentleman; that they had all failed! that nothing now remained to be tried, but a force of 25,000 men to assist the civil power! What would be the consequence of relying on this expedient, and refusing to repeal the penal code? Every one, acquainted with Ireland, must foresee, that the system of secret association, and resistance to the laws, would rapidly extend itself; and, if if it did, what more would be wanting, than some enterprising and able leaders, to connect together the masses of willing confederates to produce some general and sudden explosion? It was not with a view, the hon. baronet said to use an argument to intimidate the House, that he made this statement, but to give it the most accurate insight he was capable of giving it, from his knowledge of the state of Ireland, of the great and eminent danger that would be incurred, by an obstinate and headstrong refusal to concede to the just claims of the Irish people. The hon. baronet proceeded to observe, that, as it was now evident, that the generel feeling of the public was clearly in favour of these claims, in consequence of no petition having been presented against them, he hoped the noble lord would not confine the efforts which he had so ably and sincerely made on this subject, to his speeches in that House; but that he would extend them to the councils of the prince regent, where, under all the existing circumstances of the case, they could not now fail of making such an impression as would lead to the success of a legislative measure of relief in the next session.

General *Matthew* said, that this question had been so often, so ably, and so eloquently debated by the most eminent characters, that he should only trespass for a very few moments on the attention of the House. He could not, indeed, feel satisfied with giving a silent vote, more particularly as the subject had taken a different character from that in which it appeared on all former occasions; and he was fully convinced, that on the speedy decision of this question depended, not only the peace and prosperity of his native land, but the tranquillity and welfare of the united kingdom. Many honourable members had seemed to think that it would be impossible to procure the concurrence of his majesty's ministers, unless the Catholics would consent to certain securities. For his own part, he did not agree in opinion that any securities were necessary; but he begged to inform the House that he had arrived from Ireland that day, and he would tell the right hon. secretary for Ireland, what had been done in the county of Tipperary. It was now as tranquil in every part as the counties of Middlesex and Surrey, and this return to good order had been effected entirely by conciliatory measures. From the conduct of his majesty's ministers, he might justly say, that securities were required and demanded on the part of the Crown; and five millions of Irish Catholics were ready to grant security. They had themselves declared, only a few weeks ago, the 21st of last month, in the city of Kilkenny, that they would give securities to the Crown, and bind themselves by a solemn oath not to elect any bishop who was not of the most irreproachable character, both in a political and moral point of view. Those securities, then, having been offered, where remained the obstacles to granting the emancipation? Was it to be opposed on the ground of any foreign interference? Was it to be refused on account of the sentiments of the pope? The noble lord opposite knew the contrary: the noble lord had taken infinite pains to make himself master of the real opinion of the pope on that subject, and he had heard the sentiments of his holiness in different conversations with cardinal Gonsalvo at the congress of Vienna. It was curious that so humble an individual as the person who had then the honour to address them should be also fully acquainted with the real opinions of the pope. The noble lord went one way to work, and he had gone another. He would state to the House, that in order to make himself perfectly acquainted with the sentiments of the pope, he went to Rome, and procured an audience through the means of a person whose name was well known to the noble lord. The pope then told him, that he was ready to acquiesce in all necessary measures with respect to security, and was fully prepared to go every possible length towards this country. He pledged his honour to the House, that what he had stated to them was the truth: the noble lord knew it to be the truth, and nothing but the truth. He had communicated these facts to the noble lord in Paris, and he now called upon his lordship to corroborate this statement. The question now before the House merely called upon them to pledge themselves that they would take the situation of the Catholics into their most serious consideration in the next session of parliament. If any opposition should be made to this motion, it could arise only from the perverse and bigoted minds of the worthless members of the cabinet, who, as the noble lord had often stated, would not listen to reason. The House knew who those intolerant gentlemen were; and he would take upon himself to say, that they were altogether ignorant, not only of the state of Ireland, but also of the Roman Catholic religion; they knew no more of one or the other than the common man who swept the streets knew of North America. He trusted, however, that as nothing on earth remained to be done, the House would next year go into a committee. The Crown had desired securities; the Catholics were ready to grant them; and the pope had given his sanction to them. He would repeat, that he thought no securities ought to be demanded, except the simple oath of allegiance; but as the Catholics must be better judges than himself on this subject, he would resign his opinion to them, and give his vote in favour of Catholic emancipation in any way that they might deem most advisable.

Sir *J. C. Hippisley* supported the motion, as it did not interfere with any view he had taken of the subject; but he contended that his opinion had been invariably in favour of those securities to which he had often adverted, and which the wisdom and policy of almost every state in Europe had adopted. He lamented that the grossest and most mischievous perversion of his opinions on this subject had been inculcated and pressed upon the uninformed part of the great Catholic population of Ireland especially. After particularizing the distinctions which he mentioned in reference to those securities, the hon. baronet adverted to the only measure which, in his opinion, could be efficacious in disabusing the public mind upon this important question, which was the institution of a select committee to investigate the subject in all its bearings, and particularly to those regulations which in ancient times had been adopted, in support of the indispensable jurisdiction of the sovereign in the external government of all ecclesiastical matters, as a perpetual barrier in the exercise of any foreign jurisdiction.

Lord *Castlereagh* said, the question had been so often agitated, and he had so often delivered his own sentiments on it, that he did not consider himself called on to state at any length the grounds of his concurrence with the motion. He had always been of opinion that the Catholics would ultimately be successful in their object; for he never could conceive that any thing but an apprehension of danger to the constitution, could justify an exclusion of any body of men from a full participation in the benefits of that constitution. Nothing could ever have given countenance to the principle of exclusion, but the conviction that our liberty and security would have been endangered by acting on a different principle. No feeling of unkindness or illiberality—no feeling of monopolizing power in their own hands could ever occupy the minds of the people of this country—nothing could delay what it would be grateful to themselves to confer, a participation in the privileges of the constitution, but the conviction that the fabric would be endangered by such participation. There were some circumstances in the late state of the world which opposed a formidable barrier to the progress of this question. So long as a power in Europe existed, which threatened the liberties and securities of other countries, and so long as that power had in its possession the head of the Catholic church, it was natural that many should be apprehensive of danger from placing any power in the hands of the Catholics; but now the head of the Catholic church, thank God, ceased to be a prisoner, and the formidable power he had alluded to, ceased to exist. But there had been no greater obstacle than the unfortunate temper with which the Catholics had chosen to prosecute their own interests. The greatest mischief which this did was to lead to a belief that such a feeling did not prevail among the Catholics as was likely to make the measure salutary. But at last the House had had the satisfaction of hearing the petition presented by the right hon. gentleman, read, which displayed sentiments of attachment to the constitution, and of conciliation towards their Protestant brethren; which if displayed when the subject was last before the House, would have gone far to have induced the House to come to a different result. There could be no doubt that a more liberal and less controversial view respecting religion was now generally taken throughout Europe, than had been taken in former times. So far as he could observe the state of feeling on this subject in the public councils where he had been present, he saw nothing but the utmost liberality. In Germany, that part of the continent of Europe where a political public mind existed in the greatest perfection, though it was not so far advanced as our own country in the institutions for securing the expression of it, the utmost liberality existed with respect to religious opinions. In none of the Protestant states of Germany, certainly not in Hanover, the state with which we were most closely connected, was it considered necessary for the public security to act on a system of exclusion. He was glad that the hon. baronet (sir J. C. Hippisley), had given notice of a motion on a subject connected with the present. He did not see the same objection to the motion now as formerly—he conceived, that the effect of it would be to read a lesson of useful wisdom to those intemperate spirits of Ireland, who assumed that we were calling on them to agree to their own degradation. He trusted, that the hon. baronet would not go into any thing calculated to lead parliament into religious controversy. What parliament ought to confine themselves to, was the great and broad features of the question: they ought not to go into useless lore, but to show that they wished to confine themselves to what was necessary for them to adopt for the security of the state, and the Protestant church. If the Catholics in Ireland were among the most bigoted, and least enlightened Catholics of

Europe, this was no reproach to them, but to the state which had so long neglected them. We could look forward to no satisfactory government in Ireland, which was not founded on a principle of inclusion, and not of exclusion. Until this question should be set at rest by parliament, it was in the power of any man to make use of it as a firebrand to inflame the minds of the people of Ireland, and they could not be said to have established in that country, the government which was the result of the constitution in which we lived. He looked on the settlement of the question as important to Ireland, but still more important to Great Britain—till it was settled, government could not assume an attitude of impartiality towards all religious sects. But there was another view—till their emancipation was accomplished, government would never possess within the country all the means of governing it presented by the constitution; for though the loyalty of the Catholic gentry could not be doubted, were the exclusion to be considered as permanent, that cordial support could not be expected from them, which they would give, if they formed part of the same system with ourselves. His right hon. friend, the secretary for Ireland, had complained of the want of a resident gentry in Ireland, and wished that it could be possible to devise some means to enforce residence. It was impossible without a violation of the constitution, to prevent a man from residing in any part of the empire he might think proper. But he would tell his right hon. friend how he might find means of using a great mass of the Catholic gentry, and the Catholic clergy, a body which was ramified throughout every part of the Island, and which he might thus bring into most salutary operation in aid of government. The non-resident gentry were comparatively few in number to those whom we made absentees in their own country. The Catholics might rest convinced, that if by some folly on their own part their cause was not injured, they might safely confide in the wisdom of the state. With this well-founded conviction, they should rest patiently in the assurance of final success; and, if he had not a very wrong conception of the state of the public mind, and of the merits of the question, the subject would soon be satisfactorily adjusted, and a powerful instrument would be thereby taken from the hands of designing persons. Many persons, who viewed the question in a liberal light, were deterred from acceding to the claims of the Catholics by the idea that the Catholics would not be satisfied unless they had an established church. He should like to see the question put upon that issue, and he should know how to oppose it; but, at present, the privileges which were withheld from the Catholics were not of sufficient consequence to form a ground of contention, and, at the same time, were a formidable weapon to the enemies of the state. As the question stood on different and more favourable grounds from those on which it was placed last year, he should support the motion of the right hon. gentleman.

Mr. *Peel* said, he was very sorry to be compelled to differ from those with whom he was in the habit of acting; but, lest his silence might be construed into acquiescence in the arguments of his noble friend, he felt it due to himself to declare, that he continued to feel the same objections which he had felt to similar motions on former occasions. The House had formerly been told that the subject was of vast magnitude, and that it was due at least to the great body of Catholics to take their claims into consideration, to try at least whether some amicable arrangement might not be effected. The subject, however, had been taken into consideration, and after that fair and full experiment, he appealed to the House whether the Protestants or the Catholics were satisfied with the bill then proposed. Besides his objections to grant the Catholic claims in general, he could not consent to give a precipitate pledge to take the subject into consideration at a future time, which might be most unfit for that consideration. Neither the arguments of the right hon. mover, nor of his noble friend had applied to this point. There were many considerations extrinsic and collateral to the claims themselves, which determined the propriety of discussing them at any particular time. It had been admitted on all hands, that some times were peculiarly unfavourable to the discussion of these claims. If not, why had not the considesideration been brought forward at an earlier period of the session? or why did not the right hon. mover now ask for leave to bring in a bill? If, then the present session was not favourable for the consideration of the claims, what security was there that the next session would be more favourable, or why should the House be shackled as to its future proceedings? If next session was vourable for the consideration of the question, the right hon. gentleman might then move for a committee, or for leave to bring in a bill, without any such previous pledge. Though he did not intend to say any thing as to the general merits of the question, he would rectify some misconceptions of what had fallen from him in the debate on the state of Ireland. He had never said that twenty-five thousand men were necessary to keep down the discontented Catholics. It was to be recollected that 40,000 men had been kept up in Ireland during the war, and he had said that he did not think it would be expedient, with a view to general tranquillity, to reduce more than 15,000 in the first year of peace. The disturbed state of Ireland did not arise from the direct or indirect operation of the political disabilities, but from the system of past impolicy, and to the commercial restriction to which that country had been subjected, and which had increased her population without increasing her wealth. Some part of the evil might be attributable to the penal laws, which were repealed, but which were not to be confounded with the political disabilities which were still in force. It was to be recollected, that the present disturbances in Ireland did not exist in those places in which religious party spirit was most prevalent. Most of the Protestant and Catholic countries were tranquil. The disturbances were grounded on combinations to reduce the price of land, and other subjects not even remotely connected with the political disabilities of the Catholics. If to accede to the Catholic claims would put an end to the tumult, it would be fair to conclude that past concessions would have been accompanied with a diminution of these disturbances. But he would appeal to the House whether since 1792, when the great concessions had been made to the Catholics, the state of Ireland had not been infinitely worse than before. The argument which would be opposed to this fact was, that something still remained to be conceded, and that therefore the Catholics were still discontented. But even the bill of 1813 did not profess to put Catholics on an equality with Protestants. The two highest offices in the law and the state remained shut to them. There would be still something to concede, something on which to ground new demands and new discontents. The lord lieutenant would still have a discretion of excluding Catholics from office. If the lord lieutenant in consequence of that discretion, excluded them from offices, the exclusion would be more invidious than a legal exclusion, and more likely to create discontent; if they were admitted it would be to try a dangerous experiment. He was convinced that the Catholics would not then be satisfied to see a church established for the minority of the nation, or to support Protestant pastors by their tithes. The same ground for irritation would exist which now existed—the same weapon would remain in the hands of the factious. He should, therefore, oppose the motion, which would pledge the House to the consideration of a question from which he anticipated no good effect.

Mr. *Ponsonby* thought it a little inconsistent that the righthon. gentleman should charge his right hon. friend with having argued on the general measure, when four-fifths of his own speech was directed to the policy or impolicy of removing the disabilities. He had declared himself unwilling to grant the Catholics any more, because the former grants were not followed by conciliation. If the right hon. gentleman had known or considered the circumstances under which these grants were made, he would see that they were more calculated to produce disgust than gratitude. This question was always taken up on the necessity of the moment pressing on the administration of the day, and not as a great political measure, which, being once undertaken, should be finally concluded. If the right hon. gentleman had inquired of many of those with whom he was acquainted in Ireland, he would have found that every thing that had happened since the year 1793, was foretold in the Irish parliament. As to the distinction he had drawn, with regard to the penal code, he must say, with all respect for his talents, that it was formed on a short-sighted view of the question. The penal code was not instituted for purposes of persecution, but as a necessary means of carrying the disabilities into execution. There was no medium in this question. The Catholics of Ireland must either be their equals or their slaves. The right hon. gentleman had said, that if the repeal of those disabilities would be followed by tranquillity, he would support the repeal. It would be rash in any man to presume to say, that by a force like that of magic, such a measure would allay the disturbances; but he believed that such a measure would have the greatest effect, and that without it nothing could be done. He would ask, if a gentleman of this country was placed in the same situation as that in which a Catholic gentleman stood in Ireland, would he assist upon all occasions the government by which he was oppressed? It was not in human nature. It was absurd to suppose that the condition of the Catholics had no share in producing the disturbances. The right hon. gentleman had asked, what were the circumstances that rendered a pledge advisable now? He would state them. The House had repeatedly expressed a desire that the Catholics would show a disposition to comply with the wishes of the Protestants, by giving what were called securities. Now the Catholics had complied with this desire. One of the objections last year was, that the petition was not presented by the member for Dublin. It was now in his hands, and it was moulded in the very way that had been recommended. Would the House be now as unwilling to enter into the subject as when the petition came from a body of men whom they had stigmatised as factious? He was glad that the Catholics had manifested such a disposition, because it would advance their cause. He had always thought that their cause was in their own hands, and that its success would depend on the conduct they pursued. As for himself, he considered the things called securities only as so many cobwebs. The best security, both for the church and state, would be found in the measure proposed.

Sir *George Hill*, after the cries of question had subsided, referred to the efforts of the right hon. member for Liverpool (Mr. Canning) in favour of the Roman Catholics, which, successful in the first instance, had afterwards been defeated by a majority of only four votes. Before that result, however, it had produced no beneficial effects; on the contrary, petitions had been presented against them: and the Catholic board had been encouraged in its injudicious measures of violence with regard to the *Veto*. The right hon. mover of the present question had undertaken to answer for the Catholic laity; but would he be responsible for the clergy, who had invariably resisted the concession of the *Veto*? Three years since the Roman Catholics had refused the boon proposed to be given to them; and until he saw them come forward to hail with joy the proposition of this night, he could not believe that it would produce among them contentment and tranquillity.

Sir *N. Colthurst* with difficulty obtained a hearing, while he avowed his opinion distinctly in favour of the motion. He said he was extremely anxious that a mild and conciliating system should be pursued towards Ireland.

The question being called for on all sides, the House divided.

For the Motion.................. 141
Against it 172

Majority 31

Lists of the Majority and Minority.

Majority.

Alexander, J.
Allan, G.
Archdall, M.
Apsley, lord
Arkwright, R.
Ashurst, W. H.
Astell, Wm.
Bankes, Henry
Barclay, C.
Barry, rt. hon. J. M.
Bathurst, rt. hon. C.
Bentinck, lord F.
Beresford, sir J.
Beresford, lord G.
Bernard, visc.
Blackburne, J.
Blackburne, J. I.
Bloomfield, sir B.
Boughey, sir J. F.
Brogden, J.
Brydges, sir E.
Buller, sir E.
Burrell, sir C.
Butterworth, Jos.
Calvert, J.
Casberd, R. M.
Cawthorne, J. F.
Chaplin, C.
Chetwode, sir J.
Chute, Wm.
Clements, H. J.
Clinton, sir H.
Clinton, sir Wm.
Clive, H.
Cole, hon. sir G. L.
Collett, E. J.
Compton, earl of
Cooper, E. S.
Cotter, J. L.
Cottrell, sir John
Cranbourne, visc.
Curtis, sir W.
Curzon, hon. R.
Davenport, D.
Davis, Hart
Davis, R. H.
Dawson, G.
Douglas, W. R. K.
Duncombe, C.
Edmonstone, sir C.
Egerton, sir J. G.
Egerton, W.
Elmley, visc.
Eastcourt, T. G.
Fane, Thomas
Fane, John
Farquhar, James
Fellowes, W. H.
Fergusson, S.
Folkes, sir M. B.
Foster, J. L.
Foulkes, E.
Franko, R.
Frank, Frank
Frazer, C.
Fynes, H.
Featherstone, sir T.
Garrow, sir W.
Gipps, G.
Golding, E.
Gooch, T. S.
Grant, A. C.
Hall, B.
Hare, hon. Rich.
Hart, general
Harvey, C.
Holford, G. P.
Holmes, W.
Houblon, J. A.
Jackson, sir John
Jenkinson, hon. C.
Jervoise, G. P.
Jocelyn, visc.
Irvine, John
Knox, Thos.
Kerrison, sir E.
Kirkwall, visc.
Lacon, E. K.
Lefevre, C. S.
Leigh, C.
Leigh, J. H.
Leigh, sir R. H.
Leslie, C. P.
Loftus, Wm.
Long, R. G.
Longfield, M.

Lopez, sir M. M.
Lowndes, W. S.
Lowther, visc.
Lowther, John, jun.
Luttrell, J. F.
Luttrell, H.
Macnaughton, E. A.
Maitland, E. F.
Maberley, John
Manners, gen. R.
Manning, Wm.
Methuen, Paul
Mitchell, gen.
Milne, R.
Mitford, W.
Mordaunt, sir C.
Napier, J. L. W.
Newark, visc.
Newman, R. W.
Nicholl, sir John
O'Hara, C.
O'Neill, hon. J. R. B.
Onslow, A.
Onslow, hon. T. C.
Palmer, C. N.
Pechell, sir T. B.
Peel, rt. hon. R.
Pennant, G. H. D.
Pitt, W. M.
Porter, general
Protheroe, Edw.
Richardson, W.
Rochfort, G. H.
Rose, rt. hon. G.
Round, John
Russell, Matt.
St. Paul, sir H. D. C.
St. Paul, col. H. H.
Scott, sir W.
Shaw, sir James
Shelley, sir John
Shelley, T.
Sheppard, sir S.
Shiffner, George
Simeon, sir John
Simpson, George
Smith, Christopher
Sneyd, Nat.
Stewart, sir J.
Stewart, rt. hon. sir J.
Stirling, sir W.
Sumner, G. H.
Sutton, rt. hon. C. M.
Sykes, sir M.
Teed, John
Thompson, sir B. T.
Thynne, lord J.
Townshend, lord C.
Trefusis, hon. C.
Tremayne, J. H.
Tyrwhitt, T. D.
Vansittart, rt. hon. N.
Vaughan, sir R. W.
Vyse, R. W. H.
Wallace, rt. hon. T.
Welby, sir W. C.
Wemyss, general
Wetherell, C.
Wilbraham, E. B.
Wilder, gen.
Williams, R.
Wilson, C. E.
Worcester, marquis
Wright, J. Atkins
Yarmouth, earl of
Yorke, rt. hon. C.
Yorke, sir J.

TELLERS.

Hill, sir G.
Osborne, J.

PAIRED OFF.

Long, rt. hon. C.
Crickett, Robert
Hope, sir G.
Moore, lord H.
Pole, sir C.
Moorsom, admiral
Seymour, lord R.
Knatchbull, sir E.
Graham, sir Jas.
Lowther, col.
Lowther, hon. H.
Congreve, sir W.
Paget, hon. B.
Singleton, sir M.
Finch, hon. E.

Minority.

Abercrombie, hon. J.
Acland, sir Thos.
Althorp, visc.
Anson, sir George
Anstruther, sir J.
Atherley, Arthur
Babington, Thomas
Bagnell, rt. hon. W.
Baillie, J. E.
Barham, Jos. F.
Barnard, visc.
Barnard, Thomas
Baring, sir T.
Baring, Alex.
Binning, lord
Birch, Joseph
Bourne, W. S.
Browne, Dom.
Browne, rt. hon. D.
Butler, hon. J.
Broadhead, H. T.
Caulfield, H.
Chichester, A.
Calvert, N.
Campbell, lord J.
Cavendish, lord G.
Carew, R. S.
Castlereagh, visc.
Chaloner, Robert
Cocks, hon. J. S.
Cocks, James
Colthurst, sir N.
Courtenay, T. P.
Courtenay, Wm.
Daly, James
Doveton, Gabriel
Duncannon, visc.
Dundas, Charles
Dundas, hon. L.
Elliot, rt. hon. W.
Ellison, Cuthbert
Evelyn, Lynder
Fergusson, sir R. C.
Fitzgerald, A.
Fitzgerald, rt. hon. V.
Flood, sir Fred.
Fremantle, W.
French, A.
Gaskell, Benj.
Gordon, Robt.
Grant, J. P.
Grant, C. jun.
Gratton, rt. hon. H.
Grenfell, Pascoe
Guise, sir. Wm.
Hamilton, Hans
Hammersley, Hugh
Hanbury, W.
Hippisley, sir J. C.
Hobhouse, sir B.
Hornby, E.
Horne, Wm.
Horner, Francis
Howard, hon. W.
Howorth, H.
Hughes, W. L.
Hurst, Robert
Jones, John
Lamb, hon. W.
Langton, Wm. G.
Latouche, Robt. jun.
Law, hon. E.
Leader, Wm.
Lewis, T. F.
Littleton, E. J.
Lyttleton, hon. W.
Lloyd, J. M.
Macdonald, James
Mackintosh, sir J.
Marryat, Jos.
Martin, H.
Martin, John
Matthew, hon. M.
Meade, hon. J.
Meyler, R.
Milton, viscount
Molyneux, H. H.
Monck, sir C.
Moore, Peter
Morland, S. B.
Mostyn, sir T.
Mahon, hon. S.
Newport, sir John
North, Dudley
Nugent, lord
Odell, Wm.
Ogle, H. M.
Osborne, lord F.
Ossulston, lord
Palmerston, visc.
Peirse, Henry
Philips, George
Piggott, sir A.
Pole, rt. hon. W. W.
Ponsonby, rt. hon. G.
Power, R.
Powlett, hon. W.
Prittie, hon. F. A.
Pym, Francis
Pringle, sir W.
Quin, hon. W. W.
Ramsden, J. C.
Rancliffe, lord
Rashleigh, Wm.
Romilly, sir S.
Rowley, sir W.
Russell, R. G.
Scudamore, Robt.
Sebright, sir J. S.
Sefton, earl of
Shaw, Benj.
Sheldon, Ralph
Stuart, Alex.
Smith, John
Smith, George
Smith, Wm.
Smyth, John H.
Somerville, sir M.
Talbot, R. W.
Tierney, rt. hon. G.
Thornton, Sam.
Waldegrave, hon. W.
Walpole, hon. G.
Warre, J. A.
Ward, hon. John
Wellesley, Rich.
Wharton, John
Wilberfore, Wm.
Williams, Owen
Wortley, J. A. S.
Wynn, C. W.

TELLERS.

Calcraft, John
Parnell, sir H.

PAIRED OFF.

Arbuthnot, rt. H. C.
Coke, T. W.
Croker, J. W.
Curwen, J. C.
Fitzgerald, lord W.
Foley, Thos.
Huskisson, rt. H. W.
Ponsonby, hon. F. C.
Robinson, rt. hon. F.
Stanley, lord
Thompson, Thos.
Phipps, hon. Ed.
Ridley, sir M. W.
Townshend, lord J.
Brougham, H.

HOUSE OF LORDS.

Wednesday, May 22.

Bill for securing the Liberty of the Subject.] The Marquis of *Lansdown* moved the committal of the bill for better securing the Liberty of the Subject. He said it was not merely out of respect to its coming from the other House that he did so, but on account of the great importance of the subject of the bill; and when their lordships recollected that from the time of magna charta, when the principle of the habeas corpus law was first recognized, to the time of Charles 2nd, when it was first effectually carried into action, a period of no less than four hundred years had passed, they would not be surprised that something even then remained to be provided for. The object was to extend the benefit of the habeas corpus to all persons and to all times. This bill would enable the judges to issue the writ in vacation, and to inquire into the truth of facts alleged in the return, and apply the adequate remedy by holding to bail at discretion. As the law stood at present persons might be deprived of their liberty for a week or a month at a time, before the proper remedy could be obtained. But even if so beneficial a power in the judges were liable to lie dormant even for an hour, it would be a sufficient reason for their lordships interference. There would be no difference of opinion among them as to the principle, though some noble lords might wish for certain technical alterations. From the want of a power to remedy abuses during the vacation, many probably had occurred which had never been brought to notice; and persons might have been hurried out of the country, because individual judges might not, in the vacation, be able to afford relief. There were some instances on record of the bad effects of the want of this power: he particularly alluded to one which was brought to notice before a committee of the House of Commons in 1813 or 1814, where a person was hurried on board a ship, who alleged that he was not liable to the impress service, and was deprived of his relief because the judge could not make the proper inquiries and apply the remedy during the vacation. But if there had been no instances of abuse, still, in a matter of such magnitude, their lordships ought to proceed by anticipation of what might happen, that the habeas corpus remedy might be armed at all points, and prepared to operate at all seasons.

Lord *Ellenborough* did not oppose the committal of the bill, as some good might be extracted from it: but the noble marquis would recollect that the habeas corpus which they were now discussing was the remedy of that name at common law. The other habeas corpus applied only to commitments in criminal cases, or supposed criminal cases. In the course of the fourteen years during which he had sat as chief justice of the King's-bench, he remembered only one instance in which a case of disobedience to the writ had occurred in the vacation, so as to become a proper object of punishment. A person had seduced a young woman, and carried her away: and Mr. Justice Lawrence having issued a writ to bring her before him, the party disobeyed, and the judge did not think himself competent to proceed to enforce it till the commencement of the term: but when the court met, the writ was carried into effect, and the party disobeying punished for the contempt. This was a bill sketched by Mr. Justice Foster long ago, and its not having been brought forward sooner proved how little the grievance had been felt. The great instances of grievance requiring this remedy were confinements under pretence of lunacy, and the improper execution of the impress service. At present the opinion was, that each individual judge had not the power of liberating in the vacation; and he had no objection to agree to the extension of the remedy, so far as to empower individual judges to liberate where the imprisonment appeared questionable. As to giving each individual judge a power to punish for contempt, which was in the former bill, he should have gone on his knees to entreat the House not to give such a discretionary power to him, or to any individual judge. It was a power justly the subject of jealousy, even when exercised by the whole court. He thought that by the amendments which he should propose, every purpose of inconvenience would be answered.

The *Lord Chancellor* suggested, that the bill ought to be reprinted as amended, and then the House would judge whether it ought to be recommitted. It appeared to him, that at present it did not sufficiently distinguish between the powers of the lord chancellor as such, and his powers under the various commissions which it was customary to give to the lord chancellor.

The bill was then committed, the amendments given in without discussion upon them, and inserted; after which the bill was reported, and ordered to be printed as amended.

Coroners' Bill.] The Marquis of *Buckingham* moved the third reading of the Coroners' Bill. The office, he said, had been the highest in the county, except that of the high sheriff; and they ought either to restore it to what it was, and say that the coroner should have no remuneration at all, or provide that it should be adequately remunerated. The duties were most important—most painful to the feelings of the individual—and most laborious; and the allowance was only what had been fixed in the reign of George 2nd. He had heard it objected, that the office of coroner was at present the subject of keen contest, which showed that there existed sufficient inducement to fulfil its duties. But the reason of the contest was, that it was an office of considerable influence in the county, and the contest was a trial of the strength of parties. Besides it generally fell into the hands of gentlemen of the law, who were thus desirous of extending their connexions. Another objection was, its being a private bill. That however, was not the fault of those who had caused this bill to be brought forward, as they had wished to make it a public bill, but had been informed by high authority that it ought to be a private one: besides, that was a defect which their lordships might immediately cure.

The Earl of *Egremont* said, that his object was not to prevent an adequate remuneration being given to the coroners, but his objection to the bill was, that it had been carried forward as a private bill, and consequently had not undergone that revision to which it ought to have been subjected. The magistrates in many counties knew nothing about it, and it had almost crept through that House before he himself got notice of it. As to the duties of the office, they were almost limited to inquisitions in cases of sudden death; and in Scotland, where the office had fallen into desuetude, he understood that little inconvenience was experienced from that circumstance. As exercised at present in England, it encouraged suicide and perjury. Persons committed lunacy to prevent a bankruptcy, or preserve a fortune for their families. Their lordships might have heard of such instances. Yet even where the clearest proofs of rationality appeared, the verdict was always lunacy. This bill might bring a tax upon all the landed property of the country to the extent of 40,000*l.* a-year, and yet it had been carried forward as a private bill. It was a subject which ought at least to be considered by the magistrates all over the kingdom, and if it should appear that such a bill was proper, it might be passed. But as to the present bill, he would move, that it be read a third time that day six months.

Lord *Ellenborough* agreed that this ought never to have been a private bill, and that the defect ought to be corrected. There was much, also, in what the noble earl had stated as to the propriety of having the bill circulated and considered by the magistrates of the several counties: but as to the increased fees for inquisitions in cases of sudden death, he had no objection to them. He thought, however, there was no occasion for their attendance at quarter sessions, and therefore the allowance for that he thought objectionable. It might be desirable that they should attend where there were trials connected with their inquisitions, but then they might have allowances as witnesses. If they were to be paid for attendance, as proposed by this bill, then they would have mayors of corporations and other officers applying for remuneration in the same manner. He would vote for the bill, if this objectionable part was left out; otherwise not.

The *Lord Chancellor* was also decidedly of opinion that the bill ought to be considered a public bill.

The Marquis of *Buckingham* said, that the bill had not been hurried through the House; that it had been discussed as a public bill in the other House in the two last sessions, and must therefore have undergone a complete revision by those best competent to judge of the question. He admitted that much might be done towards improving the law on the subject of the coroners' jurisdiction, but that was no argument against the additional remuneration. He himself had heard of the bill at the quarter sessions for Buckingham two years ago, and naturally thought the subject had been considered in other places.

Earl *Stanhope* said, that by leaving out the clause making it a private bill, it would become, to all intents and purposes, a public bill, and thus the objection would be obviated.

Lord *Holland* could not agree to this, as the objection still remained that the bill had not received that consideration which the importance of the subject demanded. The real question was, not whether the coroners were sufficiently remunerated, but whether, from the want of an adequate remuneration, the office of coroner, which he agreed was of great importance, was not properly executed? He therefore thought that the subject ought to be postponed till another session.

The Earl of *Harrowby* thought it would be injustice to the coroners to postpone the question to another session, on a ground which did not arise from their fault. The object of having the bill properly discussed might be obtained by discharging the order for the third reading, and then referring it to a committee of the whole House.

Earl *Fitzwilliam* objected to this course as still not getting rid of the objection that the bill had gone through improperly as a private bill. He thought the bill had better be got rid of altogether, and then a new bill might be brought in as a public measure.

The Earl of *Liverpool* thought the course proposed by lord Harrowby, both the best with reference to justice to the coroners who sought this bill, and to the obtaining that public discussion which the bill demanded. He hoped the noble earl would withdraw his motion.

The Earl of Egremont refused to withdraw his motion, and the House divided on the question, that the word "now" stand part of the question,—Contents, 22; not contents, 14; It was then agreed that the bill should be committed to a committee of the whole House on Monday.

SHOP-LIFTING BILL.] Lord Holland rose to move the second reading of the bill to repeal the act of William 3rd, which inflicts the penalty of death on the crime of stealing in a shop above the value of 5*s.* He observed, that the House was so fully in possession of the reasons which induced him to bring forward this bill, that he should not repeat them, but should content himself with moving the second reading.

The *Lord Chancellor* said, that from all the consideration he had bestowed on the bill since it was first introduced, the objections which he had to it were strengthened rather than lessened.

Lord *Ellenborough* concurred with his noble and learned friend, and observed, that the effect of removing the penalty of death from other crimes had rendered him still more averse to any new experiment of this kind. Since the removal of the vague terror which hung over the crime of stealing from the person, the number of offences of that kind had alarmingly increased. Though the punishment of death was seldom inflicted for crimes of this nature, yet the influence which the possibility of capital punishment had in the prevention of crimes could scarcely be estimated, except by those who had the experience in the operation of the criminal law, which he had the misfortune to have. When it was considered that the protection of the property in all shops depended on the act before them, and that even now thefts of that description were numerous, the House would not, he trusted, take measures to increase them. He lamented that any attempts were made to change the established and well known criminal law of the country, which had been found so well to answer the ends of justice. It was to be observed, that the bill only imposed the punishment of transportation on thefts from shops of goods above the value of 5*l.* Offences of that nature seldom occurred, as the pilfering system which was carried on was the stealing of small detached articles. All offences of this nature would be left to the small punishment inflicted by the common law.

Lord *Holland* replied, that a fact which seemed to weigh with the noble and learned lord against the bill, was, in his mind, an argument in its favour. The noble and learned lord had observed, that the crime of picking pockets had increased: the fact was, convictions had increased,—for while the punishment of death might be inflicted for that crime, persons had been deterred from prosecuting. The noble and learned lord thought that the severity of punishment operated to deter offences; he (lord H) thought it operated to deter prosecution, and thus to increase offences. And he appealed to every man, whether they had not known instances in which persons had been deterred from prosecuting, by the fear of the excessive punishment which would fall upon the offender.

The motion was negatived, and the bill

was ordered to be read a second time that day three months.

HOUSE OF COMMONS.

Wednesday, May 22.

TITHES.] Mr. *Newman* rose, pursuant to notice, to submit a motion upon the subject referred to in the petitions which he had presented to the House. That those petitions expressed the general feeling of the agricultural interest, there could, he thought, be no doubt whatever, for they were found universally objectionable. They were oppressive upon the industrious agriculturist; and they were an ungracious source of revenue to every well-disposed clergyman, who must feel pained by the operation of any measure injurious to the interests, or disagreeable to the feelings of his parishioners. Therefore it was extremely desirable for all parties, that some substitute should be devised for this obnoxious mode of taxation, which, while it impeded the industry of the agriculturist, was but too likely to alienate his feelings from those venerable pastors, towards whom it was for the interest of religion and morality that the people should look with peculiar reverence and regard. He might probably be asked, whether he had any plan to submit; he begged to assure the House, he should not have trespassed on their time had he not already considered the subject, and he flattered himself, it would be in his power to suggest such measures in the committee, as would benefit the clergy, and all other tithe owners, land occupiers, and land owners, without injury to any person whatever, but to the advantage of the community at large. He did not mean to infringe on any property, but confined his intentions to regulation alone; and by that regulation, much encouragement would be given to agricultural improvements, thereby meliorating the condition of thousands now out of employ, reducing the already heavy poor-rates, and promoting manufactures and commerce, by enriching those who were the best customers in our home market. The hon. member concluded with moving for the appointment of a committee, to take into consideration the petitions upon the table on the subject of Tithes, and report their opinion whether it be expedient to enable tithe-holders to substitute pecuniary payments for tithes in kind at certain periods.

Mr. *Curwen* observed, that all respectable writers upon political economy concurred in deprecating the system of tythes as equally inconsistent with justice and expediency. The system was unjust, because it took an unfair proportion from the profits of the improving farmer. But the inexpedience of tithes was obvious. They interfered with the best interests of the country, because they discouraged agriculture, and promoted dissentions between the clergy and the people. That tithes operated against the extension or improvement of agriculture, was a position which could not be disputed. The extraordinary improvement of agriculture in France of late years was notoriously owing to the abolition of tithes in that country. But, in his wish for such an abolition in this country, he begged it to be understood, that he was desirous of rendering liberal justice to the clergy. It was not so much his object to reduce the amount of what the people paid to the clergy, as to alter the manner in which the money was collected, to make the mode of payment more equitable, to do away with a system offensive to the best feelings of the people, and inconsistent with the highest interests of religion. In all inclosure bills, a power was granted to let the tithes for twenty-one years, or a certain proportion of land was assigned to the incumbent in lieu of them. Upon what ground, then, should a general arrangement upon the same principle be objected to? It had always been the policy of this country to encourage agriculture, and therefore the statute of Edward 6th, was enacted to promote the cultivation of poor lands. But this act had unfortunately been so construed as to produce no good; therefore some legislative measure upon the subject was necessary; and he would ask whether, at any period of our history, the encouragement of agriculture could have been so much required as under existing circumstances, when the accumulation of our debt, the pressure of our taxes, and the amount of our expenses, imperiously called for the promotion of that species of industry which was the main source of our wealth, in order to enable the country to bear its burthens? The promotion of agriculture in Ireland was particularly desirable; and he was convinced that a general measure for the commutation of tithes would be productive of great good and immense satisfaction in that part of the empire. For such a measure he believed the great body of the clergy were quite as desirous as the laity. Those who endeavoured to do such things as to subject pine-apples to the payment of tithes were likely, no doubt, to entertain a different opinion. This extraordinary endeavour had, however, been defeated by the verdict of a jury, which was the best guardian against oppression and injustice. But all clergymen who wished to live upon amicable terms with those whom they were appointed to teach, must be anxious for the abolition of tithes.

Mr. *Smyth*, of Cambridge, said, that when the hon. gentleman adverted to the provisions in inclosure bills upon the subject of tithes, he omitted to state that these provisions were inserted with the concurrence of the incumbent. But the object of the proposition before the House was, to make it compulsory upon incumbents and other tithe-holders to accept a substitute for tithes. This he could not think practicable—he meant in that sense in which practicability was no doubt understood in that House; namely, if tithes were abolished, that it would not be practicable to provide an adequate equivalent either in value, title, security, or means of collection. Therefore he would object to any proposition for depriving the clergy and other tithe-holders of that property to which they had as much right as any freeholder had to his land. But he the more objected to this motion, because it was not proper to refer to a select committee a subject of such importance as should rather be brought under the consideration of the collective wisdom of the House. A committee of the whole House would indeed, in his judgment, be far preferable to either a motion for leave to bring in a bill, or the course of proceeding proposed by the hon. mover. From that proceeding he could not, upon the grounds he had stated look for any satisfactory result for the relief of agriculture, and therefore he disapproved of the motion.

Mr. *Rose* concurred with the hon member who spoke last, that nothing was more likely to excite alarm than the adoption of a proceeding not fixing particular points for inquiry and redress. He had looked long at this question, and found insurmountable difficulties in the way of a satisfactory adjustment of the respective interest of the tithe-owners and the occupiers of land. It would he thought be much better to introduce a definitive instead of a general and unlimited inquiry. The committee, as at present called for, could not arrive at a practical conclusion.

Mr. *Brand* spoke forcibly in support of the motion. He said he felt the peculiar importance of the subject, referring, as it did, to a system which so materially affected the morals, the industry, and the habits of the country, which disposed the people too often to look to the clergy, rather as oppressors, than as protectors and friends. The question then before the House, was of so much interest to the public and especially to all those concerned in agriculture, that he should exceedingly regret the rejection even of this limited motion, without at least some expression of the disposition of the House, to enter into the consideration of the subject at some future, and no distant period. The repeated discussion of the subject, would, he had no doubt, be productive of great advantage, and it might now be entered upon with the less reluctance in any quarter, because the mistake no longer existed, that a proposition for the commutation of tithes, implied any degree of hostility to the clergy. So far as regarded the clergy, and the occupiers, tithes constituted a sort of joint tenancy, which both were anxious to dissolve. He did not recommend any general uniform measure; for the different parishes different remedies might be applicable. Therefore, the power should be left to the tithe-holder and the occupiers, to settle the commutation, either by allotting from a parish a certain portion of land' to the incumbent, or paying him such a corn rent as should form a due equivalent for tithes in kind. He hoped his majesty's present ministers would feel disposed to follow the plan of their great predecessor, Mr. Pitt, who certainly originated some scheme for the commutation of tythes, and had almost brought it to maturity, but was prevented from proposing it by the then condition of the land tax. He therefore trusted even though the motion of the hon. member should be rejected, that the discussion upon it would incline the government to bestow its attention upon the practicability of some measure, which might be generally advantageous to the country.

The *Chancellor of the Exchequer* said, he felt all the importance and interest of the question then before the House. He was aware, also, of the difficulties and embarrassments under which the agricultural classes of the country at present laboured, and that they would consequently be induced to look out with more than common anxiety for some kind of relief. On the other hand, however, that House would carefully watch over those rights of the church, which were so intimately connected with every consideration of tithes. The entire and full preservation of those rights was essential to the general welfare and stability of all property throughout the country. The question was one which must be necessarily of a complicated character, from the divided nature of tenures—and the other modifications of landed property; and it was also to be observed, that it did not merely affect the ecclesiastical holder of tithes, but equally concerned the lay impropriators. Upon the general subject, he was far from wishing to obstruct any beneficial adjustment that could be made, and he thought the time of the House, or of a committee could not be better employed, than as mediators or arbitrators between the tithe proprietors and the occupiers of land. At the same time, however, he was not very sanguine in his hopes of success, as to the plans suggested by the hon. member who brought forward the present motion. The way in which it was worded indeed, left a degree of ambiguity, which he apprhended might create considerable alarm, and therefore he should be inclined to propose that the motion should stand thus, "That a select committee be appointed to take into consideration the said petitions, and to report to the House, if it be expedient to enable proprietors of tythes to grant leases thereof, under due regulations." It would unquestionably be a great advantage to the agricultural interests of the country, if any practicable scheme could be devised, as it would prevent many of those altercations and heart-burnings between the incumbent and his parishioners which now so frequently prevailed.

Sir. *William Scott* observed, that a great and injurious misconception prevailed throughout the country upon the question of tithes; and if he concurred in the present motion for a committee to inquire into the subject, it would be only from the hope that the result of the inquiry would remove those erroneous opinions. He had not, perhaps, devoted so much of his time to writings upon political economy, or to those upon agricultural subjects, as other hon. gentlemen might have done; but neither had he been inattentive to those branches of general inquiry, and he could not but consider the outcry raised against tithes as originating in a feeling of hostility towards the clergy, equally injurious to the morality and the agricultural interests of the country. He had indeed read with astonishment publications upon the subject, some of which had received premiums from different agricultural societies, as contemptible in all that related to facts, as they were in every thing which could be called reasoning; if he might apply that word to such wretched compositions. He would instance as a proof of what he had asserted, Mr. Middleton's Survey of the county of Middlesex. The clamour raised against the clergy was most unwise, most unjust, and most impolitic. They were the instructors of youth, the dispensers of religion, and the guardians of public morals; and no one could deny, that some of the most distinguished characters who had adorned the literature and science of this country belonged to that body. No doubt there might be cases where the clergy, in collecting their tithes, pressed hard upon the land occupiers; but it was at least remarkable, that in the cases where recourse had been had to the tribunals of the country, the greater part consisted of persons who refused to pay tithes at all. With respect to the committee, he should wish to see it strictly limited to an impartial inquiry. If it were not, they would only open a shop, or to use a more fashionable phrase, a bazaar, to receive all kinds of complaints from parishioners against their pastors; and they would be deluged with interested and contradictory statements of imaginary grievances and hardships. Would the House sanction a proceeding of that kind? With respect to the general objects proposed by the hon. mover, he should certainly oppose any attempt to substitute pecuniary payments in lieu of tithes, because it would tend to remove the clergy from those solid and immemorial grounds of revenue, by which they were rendered, in point of fact, co-proprietors and co-possessors of the land. The House would surely pause before it went that length. He should, however, give his vote (a reluctant one, he confessed) for the committee; because he hoped that after they had reported, the House would take the subject into its most serious consideration, and that the result of such consideration might produce much good, in destroying those prejudices and misconceptions which now prevailed.

Lord *Castlereagh* said, he certainly felt great objections to any rash or premature interference with tithes; and if such interference could have, in the most remote degree, a tendency to render church property less secure, he, for one, should give it no countenance or support. If the inquiry, also, was only to offer up a general investigation, and to collect promiscuous evidence from all quarters against the church, he should equally object to it; for the same injurious and unjust course might be as well pursued with respect to all other proprietors in the country. Therefore, if the inquiry should travel in either of those directions, he should feel a fundamental objection to both of them; but if they merely proposed to examine how the church might be enabled most safely and most beneficially to enjoy its present property, and how they might best prevent the holder of tithes, in any temporary commutation of them, from sacrificing the ultimate revenues of the church, he should consider those as wise and rational objects of parliamentary inquiry. With respect to a permanent and general commutation of tithes, he apprehended that would be found utterly impracticable. Nothing but difficulty and embarrassment would hang about such a scheme. In all attempts to reform what might be considered as the abuses of property, they should be careful not to shake the very principle of property itself. Now, the principle by which the church held its property, he considered to be high and inviolable, and not to be lightly intermeddled with. Concurring in what had fallen from his right hon. and learned friend, he did not mean to oppose the committee, though he did not think it would lead to any successful results. He wished, however, anxiously to guard the laity from supposing, that if the principle of property, as affecting the church, were shaken, there would be any security for property of any other description throughout the kingdom.

Mr. *Wynn* observed, that under the restrictions which had been laid down, he did not see that any objection could be made to the motion. He understood, at first that a degree of compulsion was to be employed; but to that extent he certainly was not prepared to go. To the principle of granting leases, where an arrangement could be amicably made between the parties, he apprehended no objection could be entertained. He hoped, however, if the measure should be ultimately adopted, they would feel the necessity of providing, in all cases, whether the lease were granted for a year, or for a term of years, that the clergyman should have the species of remedy, in cases of insolvency, which was now given to the landlord. The tithe-holder ought to have a preference over every other creditor. At present he had no other remedy than what was common to every creditor. If that improvement, however, were introduced, he thought that it alone would be productive of very great advantages.

Mr. *Wetherell* said, he would consent to the measure proposed by his right hon. friend, the chancellor of the exchequer, only upon the express condition that the House declared the property of the church as sacred as every other kind of property, and that it would consent to no measure that interfered with it, unless by the voluntary agreement of the clergy. If the church were compelled to grant leases, that alone would be a direct interference with the integrity of its property. He should be willing to concur in any plan for the improvement of the tithe system, but he saw many difficulties attending the subject, both as to the security of church property and the mode of valuation in granting the permissory leases. He should vote for the motion, but did not wish to be therefore understood as pledging himself to the support of any ulterior measure.

The *Chancellor of the Exchequer*, in explanation of his meaning, which appeared to have been misunderstood by his hon. and learned friend, declared that he held church property as sacred as any other species of property, and as much to be respected by the legislature.

Mr. *Brougham* said, he was unwilling that the debate should conclude without adverting to the spirit with which his right hon. and learned friend (sir W. Scott) had commented on the opinions and motives of those who recommended measures like that under consideration. He had proceeded on the supposition that any interference with tithes, for the purpose of regulating their collection so as to promote the interests of all parties, manifested a hostility to the rights of the church, and tended to diminish the security of the property that was destined for the support of the clergy. His right hon, and learned friend, he would not hesitate to say, had been actuated by a mistake, when he attributed such sentiments to any respectable individuals or party in the country. For those who supported this measure, he would venture to say, that they entertained the greatest respect for the interests of the church, and had no desire to encroach upon them. Speaking for himself, he was ready to avow, that he thought the rights of the church to the property it enjoyed as sacred as the rights of individuals to their estates or freeholds, and that the parson of the parish had as good a title to his tenth of the produce of its soil as the body of proprietors to the other nine parts. This tenth could not be interfered with, could not be reduced, could not be taken away, without violating the law under which the great body of the community enjoyed their rights of property. But while he considered the right to tithes to be as sacred as any other rights of property, he could not allow that it was more so in any other sense, than that it conferred a title to a species of property that was devoted to sacred purposes—to support a body of men who guided the religious exercises of the community. More sacred in the sense of its being inviolable it could not be; and as the exercise of all rights of property could be regulated by the legislature when the general welfare demanded its interference, so might this. Nay, he would even go farther, and would say that parliament could legislate in this species of property when it could not do so in others. To establish this point, he would advert to various precedents in the history of our church establishment. In the time of Henry 6th, when it would not be contended that there existed in parliament any great inclination to oppose the rights of the church, a statute was enacted by which tithe was taken off barren land for seven years. Thus, not only was there a regulation of tithe, not only an interference with property, but a total destruction of it with respect to certain land over which the rights of the church before that period extended. So far, then, from the right to tithe being inviolable, or placed beyond legislative interference, it would be seen that, at a period when the privileges of the clergy were higher than they had since been, this right was for a certain time, over a certain portion of the soil, entirely suspended. The next precedent to which he would advert was, the act of the legislature rendering the portion of land laid out in the cultivation of madder untitheable. It was thought an object to encourage the growth of that article in this country, while, at the same time, the expense attending its cultivation was so great as to render it impossible for the cultivator to derive a profit from his labour, if he paid the dues of the church. The parliament on this ground granted those who engaged in this speculation exemption from the burthen of tithes to induce them to proceed. The right of property over the particular spot laid out in the cultivation of madder was as sacred as that employed in the production of corn; but the legislature annulled it with regard to the former.—The hon. and learned gentleman, in the third place, directed the attention of the House to the act of the Irish legislature, by which agistment tithe was abolished. The parliament of the sister island had first decreed, that to levy agistment tithe was "monstrous and unconstitutional." On its authority he would not rely, as the measure was allowed to be a violent one, and therefore not a fit precedent to bear him out in his argument; but the legislature of that country had afterwards deliberately sanctioned what their predecessors had madly enacted, and that statute was now the law of the land. Here, then, was interference in the two kingdoms with the rights of property in tithes. If we travelled into Scotland, where religion flourished more than it did here, we should find the principles acted upon in the English and Irish parliaments confirmed by the example of the Scotch legislature. In the early period of the seventeenth century, when the notions of chuch privileges were extremely high, and abetted by a sovereign whose memory has been honoured by the title of the martyr king, a statute was passed in the Scotch parliament, declaring it unlawful for the clergy to draw the tithe in kind, and empowering the proprietor to have his tithe valued and sold to him at six or nine years' purchase (the lowest being six, and the highest nine), out of which he was to pay a fixed stipend to the clergyman. The consequence of this measure was, that there remained no tithe system in Scotland, no inequality of income among the clergy, no excess of revenue, no incompetence, as in this part of the island. The lowest living of a clergyman was 150*l.*, the highest generally about 250*l.* or 300*l.*, and the medium about 200*l.* This abolition of tithes, this competence without excess, was productive of the greatest benefits; relieving agriculture from oppressive burthens, while it heightened the respectability of the clergy, and consequently improved the moral and religious condition of the people. In Scotland there was no idle beneficed churchman; no pauper performing the religious services of the parish; no one suffered from indigence in conducting his sacred functions, and none were raised above them by excessive opulence. He mentioned the situation of Scotland, not to recommend a similar measure for England, but to show that those might be friends to national establishments, and the rights of property vested in corporate bodies, who yet had no objections to its regulation.—Various measures of regulation had been proposed. An hon. friend of his (Mr. Brand) had recommended a corn-rent as an equitable measure. He had objections to this proposal, not because it interfered with the right of property, but because it would operate unfairly on the incomes of the clergy, cutting them off from all the benefits resulting from the improvement of land. If land yielded fifteen bushels an acre, and afterwards afforded thirty bushels, although the clergy derived from the soil as much in the first case as was necessary for their support, and received a species of income that could not much deteriorate, still the clergyman would not remain in the same relative situation to the proprietor in the latter as in the former instance, unless his part of the produce likewise improved. There had been other plans proposed—one of them by the hon. mover of the question this evening—to which he could not agree. He had seen the bill that he proposed to introduce, of which the great principle was to appoint commissioners to survey and inspect the land, and then to value the tithe, and make an award in consequence, which should be compulsory both on the landholder and the titheholder. He objected to this provision, on account of the compulsion which it involved.—The hon. and learned gentleman then said, that he thought there could not properly be one uniform regulation for all the kingdom, but that a variety of plans might be adopted suitable to the varied conditions of the parties, but none of them compulsory. There could be no harm in allowing in some cases a lease, in others a sale, in others an exchange, with the sanction of the authorities to which the superintendence of the interests of the church was intrusted. A bishop or a patron of a living would not be likely to sanction an improvident bargain, however much the necessities of the incumbent might induce him to make one. The principle of commutation of tithes was not new, as might be evinced by appealing to the proceedings on enclosure bills, and attending to the manner in which the interests of the church were adjusted in such cases. Here the hon. and learned gentleman entered into an interesting and elaborate history of the steps by which the legislature had arrived at the present mode of commuting the tithe of a common, and even of a parish, into the property of a fixed portion of land. Some general law regulating the system of commuting tithes had become indispensable. At present the contracts between the parishioner and the incumbent were constantly liable to be evaded. It was desirable that the parties should have the power of binding themselves in law to a determinate engagement. The holders of benefices would discover that their interest was equally engaged with the proprietors of lands. It would be advantageous to all parties that a general regulation should be adopted against taking tithe in kind. This would not at all infringe on the proprietary rights of the church; for, in districts where improvement was chiefly carried on, it was certain that the church did not draw its fair tithe. No doubt could remain with respect to this point, if the House looked to the rental of lands and houses assessed to the property tax. It amounted to fifty millions; and of this it was not too much to say, that the church did not receive above one-fifth of its due proportion. It was, therefore, far from being too hard a task-master; and there could be no doubt that, for the sake of the establishment itself, it was advisable to place it on a better footing. The landowner would gain much, but the clergy would gain more. The just and sacred rights of the church might, by being guarded against the expenses of collection and litigation, be converted from what was very often a scanty pittance to an adequate and considerable revenue. The want of such an arrangement was the true cause why so many thousands of acres were left in a state of desert nature, and why, with regard to what was in cultivation, there was a perpetual squabble between the pastor and his flock. In parishes presided over by what was called a rigorous parson, nothing could be more detrimental to the interests of morality than this kind of disputation. Nothing could tend more strongly to alienate the minds of the parishioners from a disposition to receive any teaching from such a quarter.—He was aware that there was another branch of this question which would be touched upon in the course of the discussion, and on which he did not feel himself at present qualified to enter—he meant the subject of Irish tithes. It was desirable, in his opinion, that this question should be considered on its own independent merits. At all events he could not but participate in the prejudices expressed by some of his hon. friends against getting rid of this question by what he might call the contrivance of a committee. He thought his right hon. and learned friend (sir W. Scott) had been a little too harsh in his vindication of ecclesiastical rights; and would remind him that there was a report of a committee of that House, in which it was distinctly stated, that tithes often prevented the outlay of capital on lands not yet brought into cultivation. Some new legislative measure was loudly called for to satisfy what was not merely a disposition to complain, but in many instances a spirit of clamorous discontent. It was evidently for the advantage of the church that the expenditure of capital in the improvement of land should be encouraged, and with this view that optional and binding engagements should be entered into. The article of hops alone showed how impossible it was for the church to exact its legal proportion. Not a hop-pole would be raised in Kent or Sussex, if the tithe was actually levied. Instead of this, therefore a composition was made, by which the cultivator paid 25*s.* or 30*s.* where in law he ought to pay as many pounds. The House ought, in his opinion, to interfere not by any compulsory enactments, but by some measure that should have the effect of removing those difficulties by which fair and amicable arrangements were at present impeded.

Mr. *Peel* said, that it having been determined to appoint a committee for the limited and specific purpose of inquiring into the expediency of allowing the proprietors of tithe to make arrangements with respect to their tithes for a certain period of years, under certain regulations, he hoped that this committee would extend its inquiry to Ireland. He hoped so, because there were petitions from Ireland suggesting the propriety of enabling the clergy to make arrangements of this nature. He hoped so, because the uncertainty with respect to tithe, was one of the alleged causes of popular discontent in Ireland—and he thought there might be some just dissatisfaction and disappointment, if, when an inquiry upon a subject connected with tithes was acceded to in this country Ireland was not included in it. He hoped so also, because the interests of the church of England ought never to be considered in a separate point of view from the interests of the church of Ireland; in fact, the church of England did not exist separately from the church of Ireland. By the 5th article of the union, the churches of the two countries were united into one—one protestant episcopal church, under the name of "the united church of England and Ireland." It was possible that circumstances in Ireland might make some arrangement with respect to tithe, if feasible, more expedient than in England—but he hoped that the House would never listen to any proposition with respect to tithes in Ireland, which did not only admit the full right of the church to that property, but which did not also most effectually secure the interests of that church from injury. He hoped that nothing which made it compulsory upon the church to exchange the property in tithe for property of another description, would ever be acceded to. If it were possible to give an option to the parties to commute their tithes, and thus introduce certainty and regularity in the payments to the clergy, he should rejoice at it, provided the interests of individuals could be made compatible with the interests of the establishment. Many regulations would be necessary, in the event of such an arrangement, for the protection of both parties — the receiver and the payer of tithe. He thought there were great difficulties in the way of an arrangement, with respect to tithes in Ireland, even so far as the interests of the payer of tithes were concerned. The dissenters from the established church might prefer a small increase to their rent in the place of the present contribution to the clergy: but if by relieving them from tithe you double their payments in the way of rent — if you make them pay 20*s.* to the middleman or the landlord, instead of 10*s.* to the rector, you confer any thing but a benefit upon them. He believed this consequence would result from many of those plans which had been suggested for the commutation of tithe; not indeed from those which proposed the abolition of tithe, or an obligation on the church to remit part of their just tithes, but from those which proposed to give the church some just equivalent for their present property, and none others ought even to be listened to.

Mr. *Holme Sumner* said, he had always been of opinion, that the time would come when the evils resulting from the present system of tithes, would force themselves on the consideration of parliament. The present proposition, however, limited as the object of the committee was, appeared to him to be utterly inadequate to the purpose in view. He thought that the mere appointment of a committee to consider the petitions, would be productive of little good, unless some particular object was pointed out, on which the committee should report. It would, in his opinion be better to discuss the subject in a committee of the whole House, and then to appoint a committee up stairs to inquire into any particular branches of the subject; or after a discussion in a committee of the whole House, that a bill should be introduced.

Sir *H. Parnell* deprecated mixing together the consideration of the tithe system in this country and the consideration of the tithe system in Ireland, as they were subjects totally different in their nature. The plan for Ireland he said, must be much more general than that proposed for England, or it would fall very short of remedying the evils of the system in that country. He was satisfied that the best course to have pursued would have been to have submitted to the House, some well-digested plan, in the shape of a bill, upon which the whole subject might have been fully discussed.

Mr. *Denis Browne* was also of opinion, that the questions of tithes, as they regarded England and Ireland, were totally distinct. He thought, however, that no step would be more desirable for the tranquillisation of Ireland than an alteration in the system of its tithe laws. He said he had known instances in which the catholic tenant of five acres had paid the full tithe, whilst a protestant proprietor of a thousand acres had paid nothing.

Lord *Milton* said, he had heard of a proposal for commuting the clergyman's tithes for land. This was not a new principle but was acted upon every year in the case of enclosure bills. He confessed, however, he had doubts of its utility. It was calculated to make the clergyman too much of a landed proprietor or a farmer. Besides, in a system of this kind, if the clergyman's tenant broke, he broke also. He would likewise be subjected to considerable expense for farm-buildings, &c. in which he could have only a life-interest. At the same time this scheme had many advantages, especially that of indentifying the clergy, as effectually as under the present system, with the great body of the landed proprietors of the country. If, as had been stated, tithes were by law payable on minerals, this appeared to him not only a grievance, but an actual injustice. The profits on minerals were not a rent arising from annual reproduction, but arose *ipso facto* from a sale of so much of the capital. It appeared to him that the proper subject of tithes was produce, which was annually renewed and in this view certain fisheries were titheable. If there was a law subjecting minerals to tithes, it ought to be repealed. Any alteration to be made should proceed on the basis of the present state of property. It should be recollected that a great portion of the tithes was not only in the hands of lay-impropriators, but of ecclesiastical corporations which did no duty. These tithes originally belonged to the vicars, and he saw no reason why the ecclesiastical bodies should not be called upon to increase the wretched stipends of 20*l.* or 30*l.* a year, which were now paid to these vicars. The amendment proposed by the chancellor of the exchequer appeared to him too confined in its nature, for the fact was, that parliament were every year in the habit of recognising the principle of leasing and a committee so confined in its object would produce no new information whatever.

Mr. *Leslie Foster* said, that he had not intended to trespass on the attention of the House, but could not remain silent after such a picture had been drawn of the conduct of the clergy of Ireland. He felt bound to enable the House to appreciate from facts rather than assertions, whether rapacity or moderation was the character of the clergy of Ireland. Paradoxical as it might sound, he was convinced, that it was actually to their moderation they might attribute the attacks which they now had to sustain; and had they stood as firmly on their rights as the clergy of England, they had not been so assailed. But the progression was naturally from plunder to degradation, and from degradation to abuse. No other body in these free countries had ever been so plundered; they had been robbed by a vote of the House of Commons, about eight years ago of the tithes of agistment, not less certainly than a fourth of their entire property, and this robbery had been sanctioned by a law which was almost the last proceeding of the Irish legislature, and which this united parliament would have rejected with indignation. The accusation of having converted themselves into judges in their own causes, and determining every thing in their own favour, was perfectly unfounded. It was a real kindness to the farmer to bring him before the ecclesiastical jurisdiction at the cost of a few shillings, rather than into a court of equity, at an expense that must be his ruin; and if the church succeeded in most instances, it was because no clergyman resorted to the proceeding, except where the farmer was grossly in the wrong. Throughout one half of Ireland this rapacious clergy abstained from demanding the tithe of potatoes to which they were unquestionably entitled. Throughout the north of Ireland 6*d.* or some such trifling sum was accepted for the tithe of the important article of flax. Of the tithes of gardens, so severely collected in England, he had never heard, and indeed most of the long catalogue of small tithes familiar in England, were in Ireland unthought of. And yet, for all those exemptions the farmer had no other tithe than the forbearance of a church. He had often endeavoured to satisfy his mind of the real proportion which they received of such crops as they did resort to, and he found it in such instances to be not 1-10th, but in general 1-25th, or 1-30th. He knew a large and highly agricultural parish in the north of Ireland, where the rector proposed an agreement to his parishioners of 2*s.* 6*d.* the English acre, which they rejected as oppressive. How well would English gentlemen, under such circumstances, be satisfied by a commutation of double that amount! The nonresidence of the Irish clergy was represented as an enhancement of the grievance—formerly this was true; but he asserted, without fear of contradiction, however surprising it might sound, that the clergy of Ireland were at present more generally resident than their brethren in England; thanks to the means which had been afforded by the splendid liberality of this House, originating and continued at the suggestion of his right hon. relation, Mr. Foster—the ultimate consequences of which to the interests of the establishment could hardly be appreciated. When the promised bill should be brought forward for commutation, it would be time enough to discuss its practicability. The principal difficulty in his mind would result from the impossibility of devising any system which would not press far more heavily on the people than that which was complained of, for he was convinced that any compensation must be measured out according to the present right, and not according to the past moderation of the church. No other principle could be entertained by parliament, without sanctioning the invasion of property to any assignable extent. Besides by the 5th article of the union, you must deal out the same measure to the one united church in England and in Ireland, and any principles resulting from the practice in England would, he suspected, amerce the Irish farmer to an extent that would surprise him: besides if the whole property of the church were confiscated in Ireland, there would still remain about a-third of the entire grievance unaffected. He alluded to impropriate tithes, with which the House would not be so hasty to interfere; but he was convinced the clergy of Ireland had nothing to apprehend in that House, except the occasional misrepresentation of their conduct; and their respectability never could survive if their property was destroyed. France had not sinned and suffered entirely in vain, but stood forth, at least, as a beacon for other nations, exhibiting all the effects of a system which had first invaded the property of her church, under the specious pretext of permitting religion to subsist by her abstract claims on the gratitude of mankind, but finally discarding it as useless, and turning loose a population alike insensible to its benefits and control. He thanked the House for their indulgence, on which when he had risen, he had not intended to trespass further than to prove, that whenever the established church of Ireland should be made the subject of such statements in that House, there was in it, at least, one man who would not permit them to pass uncontradicted.

Mr. *Denis Browne* denied that he had charged the Irish clergy with rapacity, nor did he mean to say a disrespectful word of them.

Sir *John Newport* acknowledged that

the terms of the amendment were narrow; yet if the result of a committee was a measure which enabled the tithe-holder to make a lease with the tithe-payer, it would be highly beneficial; great advantage would arise from the certainty of the tenant as to his payments for a course of years. He stated, in proof of this, what had taken place in the parish where he resided, where there was a lease of the tithes for twenty-one years at a fixed rate, and there had been no disturbance since. Adverting to what had been said of the Irish clergy, he stated, that, to his knowledge, when Mr. Wickham was under-secretary, an abominable traffic was carried on by many clergymen, namely that of exchanging their livings, in order to avoid the agreement for leases, which they had entered into, and make new ones more advantageous to themselves. He knew an instance where a clegyman had threatened his parishioners, that if they did not add 200*l.* a year to his income, he would exchange his living, and they would be compelled to pay more to the new incumbent. A law compelling the grant of leases, for years would prevent any abuses of this kind. A great point would be gained by going so far; for in Ireland it was not so much the quantum as the mode in which tithes were collected that was the grievance complained of.

Colonel *Wood* wished to say something on this subject, because he lived in a part of the country where the people were very much alive to it. He agreed with a noble lord (Milton) that there were great objections to making the clergy large landholders and farmers. He was friendly to the amendment, because, if the extensive subject of commutation were entered into, nothing would be done this session. The best and shortest plan, for the present, would be to authorize the granting of leases for twenty-one years; the leases to be granted to the owners of land, not to the occupiers.

Mr. *Preston* thought that the motion did not go far enough, and that a more extensive measure ought to be adopted. He had no hesitation in saying, that the church did not at this moment receive one-fourth of its actual right. He was no inconsiderable proprietor of land, and having devoted above twenty years of his life to the consideration of this subject, he felt himself authorized to state, that the clergy ought not to be permitted to act as they had done, because it was altogether in opposition to their interests. The compulsory measure, the right of valuation, he conceived, ought to take place. The principle was not new; and, if it were generally acted on, it would be productive of much service to the public. He did not desire to argue this question as a mere lawyer: he would throw aside all special pleading and casuistry on the subject, and speak in the plain, unsophisticated language of a country gentleman. The established church had at all times found in him a warm and sincere supporter of its rights, and he should be always proud to acknowledge himself one of its disciples.

After a short reply from Mr. Newman, the motion, as amended, was agreed to, and a committee appointed.

ILLICIT DISTILLATION.] Mr. Shaw presented a petition from the licensed distillers of the city of Dublin, praying "for an immediate reduction of the present high duties on licensed spirits; and the petitioners submit that such reduction should be so low as would enable the licensed distiller to meet the illicit distiller with effect in the market; and they feel confident that, under such a diminution of duty, the revenue would be increased, the illicit trade destroyed, agriculture encouraged, and the morals of the people improved, which at present are perverted and debauched by the universal consumption of illegal spirits." On the motion, that it do lie on the table,

Sir *John Newport* could not suffer this petition to be received without offering a few observations to the House. The right hon. gentleman opposite (Mr. Peel) had formerly drawn a very faithful picture of the state of Ireland; but there could be no doubt whatever that a great part of the disorganization of the people was occasioned by the immoderate use of spirits. At least one-fifth of the country was excited to tumult and disorder from this cause; and he would then ask the House, whether they would consent to surrender up the other four-fifths to drunkenness, by reducing the price of spirits. The petitioners complained of illicit distillation, but not in the district of Dublin. In those parts of the country where the use of beer prevailed instead of spirits, the morals, habits, and health of the people had been most materially improved. It had been shown to the House, by several medical reports from the most eminent practitioners, that since the use of beer had become more general, the mortality in those great districts had decreased in a degree that was almost incredible. The remedy for illicit distillation was not to be sought by these means, but by calling on the nobility and gentry to aid the legislature in giving effect to the established laws. At present they found that they could not collect of their tenants the large rents which they imposed on them, unless they assisted those persons in evading the laws: this, and this only, was the character of their opposition to the existing laws of the country. He must acknowledge, however, that the House had in a great degree to thank themselves for the progress of illicit distillation in Ireland. Some counties had transgressed to an enormous extent; and because they made that a plea for remitting the penalties, the House had yielded to their petitions, and thereby encouraged hopes that, by transgressing again, they would procure a remission of the penalties. It was impossible to expect good order, sobriety, or obedience to the laws, so long as the people were kept in a state of intoxication.

Mr. *V. Fitzgerald* entirely concurred in the sentiments of the right hon. baronet, and hoped that the House would never again sanction the principle to which he had alluded. It was his intention to adhere to the existing laws, and he trusted that in future the House would not act retrospectively, but prospectively.

Sir *J. Stewart* almost disdained to answer the imputation which the right hon. baronet had thrown out against the landed gentlemen of the north of Ireland. He would venture, however, to assert, that the statement was founded in gross ignorance and mistake. On the contrary, they had always aided the civil authority, and, in endeavouring to perform their duty, had frequently exposed themselves to imminent danger. One had been fired at, and not long after another had his house set on fire. Was it just, then, that the landed gentlemen in that part of the country should be branded in this manner? For his part, he never saw the people more sober than at this moment; and he denied that the use of beer had been so greatly increased as the right hon. baronet had represented. During the last year there had been a deficiency in the duty on malt of not less than 26,000*l.* It was likely, however, that the breweries would revive again, as the chanceller of the exchequer had reduced the duty on malt; but the cheapness of spirits would not prevent the drinking of them.

Sir *J. Newport* explained. He said, the right hon. baronet had accused him, not in very gentle or very parliamentary terms, of ignorance on this subject. Now, he would state to the right hon. baronet the words which a landed proprietor, in the north of Ireland, had used to him, when he spoke of suppressing this abominable system—"You endeavour in vain to attempt to put down illicit distillation in the north. We will not support you in such an attempt. If we do, how are we to get our rents from our tenants?"

Mr. *Stewart* defended the gentlemen of the north of Ireland, particularly those of the county of Donegal, from the charge of encouraging illicit distillation. Much of the evil was to be attributed to the great number of absentees. In consequence of their secession from active duties, the administration of the law, in most extensive districts, frequently devolved on a few persons, who found it impossible, however anxious they were to put down illicit distillation, thoroughly to root out the evil.

General *Matthew* said, as he knew very little about the north of Ireland, he could not assert that the gentlemen in that quarter encouraged illicit distillation; but he was very sure, that those in the south, with which he was well acquainted, gave that system every assistance. There was not a gentleman residing on the banks of the Shannon who did not encourage it, by purchasing what was called, in that country, putteen. That was whiskey made in a little iron pot, the Irish for which was putteen, and thence the liquor derived its name. The gentlemen purchased this spirit—they placed it regularly in their cellar—and there was not one of them who did not regularly ask his guests, "Will you have the putteen, or the legal spirit?" As he (general Matthew) preferred good claret to bad port, he always answered, on such occasions, "give me the putteen instead of the inferior whiskey" [a laugh]. The right hon. secretary had stated, on a former evening, as he understood (and he wished to be set right on this point), that there were 1,889 parties employed to put down illicit distillation. These parties, however, were only additional incentives to the offence which they were appointed to suppress.

Mr. *Peel* denied that he had ever stated the number of parties to be employed on this service. He had said, that the whole number of quarters for the army in Ireland was 411—for military and civil purposes, including the assistance to be given in the collection of the revenue.

General *Matthew*. Well, then, these 411 parties, I say, are additional incentives to illicit distillation.

Mr. *Peel*. I have not said that 411 parties are employed on this service.

General *Matthew* continued. If the right hon. gentleman pleased, he would suppose that 411 parties were so employed; and he would still argue, that they would increase, instead of diminishing the evil. It was almost impossible for them to discover those who were engaged in this trade. They could easily conceal the iron pot which was used in distillation. And what was the consequence? Why, the persons who were sent out to destroy this trade, assisted in supporting it, for they could get nothing but putteen to drink. Besides, those who thus infringed the law, were protected by their landlords. He did not mean to say that it was so in the north; but such was the case in the south, and such was the case in the west. The chancellor of the exchequer for Ireland knew full well that the practice existed in the county of Clare. The evil was supported even by the government. Lords-lieutenant, particularly one nobleman, whom it was not necessary for him to name, preferred this putteen, as every other man of judgment did, to the common whiskey. During the last summer, the lord chancellor of Ireland, lord Manners, would drink nothing but putteen; and the marquis of Abercorn pursued the same course. He did not blame them for making use of good spirits, instead of bad. The Irish chancellor, he understood, refused every other spirit, except putteen, for these reasons—he found it extremely useful to his constitution, and the finest diuretic in the world [A laugh]. Neither the lord chancellor of Ireland, nor the secretary for Ireland, could deny that this illicit spirit was thus generally used. He believed that almost every man in the county of Limerick supported illicit distillation. There was but one way to destroy this evil; and that was by revising the magistracy of Ireland, which was at present intolerable. The magistrates of the south were intolerable. They connived at this infraction of the law; they took money as a bribe to suffer it to go on [No, no!]. He could prove it. The guager took a guinea from this person, and a guinea from that person, that he might overlook those town-lands which had incurred penalties, and place them on those on which no offence had been committed. The gallant general then contended, that the only effectual remedy for this monstrous evil, was a purification of the magistracy of Ireland, which the government did not seem anxious to commence. He had recommended to lord Manners a person whom he considered every way eligible for the situation of justice of the peace. His lordship declined attending to this recommendation, because it was not sanctioned by the governor of the county; without which, he observed, his predecessor never placed a gentleman in the commission. To this he (general Matthew) answered, "that his lordship must be mistaken—being an Englishman and a foreigner, he did not perhaps know how the matter stood." The fact was, that he had recommended no less than three gentlemen to his lordship's predecessor (Mr. Ponsonby), who were all appointed. It was remarkable, that lord Donoughmore, that distinguished individual, who was governor of the county, had recommended the same gentleman to lord Manners, as proper for the commission, whom he (general Matthew) had previously mentioned. The answer of the chancellor of Ireland to lord Donoughmore was, "that he could not appoint this person, for reasons which it was unnecessary for him to enter into." The individual thus rejected was a most respectable gentleman: to be sure he was a Catholic: that might be an objection in the eyes of lord Manners, though, perhaps, it would not be so considered by any other person. The gallant general was again adverting to the support which illicit distillation received from the landlords of Ireland, when

Sir *G. Hill* spoke to order. He conceived it highly improper that a noble lord, a member of the other House, should, along with the chancellor of Ireland, be accused, by the gallant general, of encouraging an infraction of the law. He had reason to know that the charge was not correct.

General *Matthew* said, he did not state, of his own knowledge, that those noble persons had acted in the way he described; but he had heard it mentioned in all the public companies in Dublin. They were not, however, singular in their taste. Other noble lords had shown an equal love for putteen. No man ever liked it better than the duke of Rutland. The gallant general concluded by again pointing out the necessity of revising the magistracy of Ireland.

General *Hart* said, that the gentlemen of the county of Donegal gave every assistance in their power to the revenue, in suppressing illicit distillation.

Mr. *Daly* stated, from his own personal knowledge, that lord Manners had appointed many gentlemen to the commission of the peace, knowing them to be Roman Catholics. As far as he had an opportunity of judging, the landlords of Ireland were most anxious to put down the system of illicit distillation.

Mr. *Prittie* said, that the south of Ireland was over-run with private stills, and that no mode could be so well calculated to remove this evil, as the selection of an efficient magistracy. He felt a high respect for the present chancellor of Ireland; and therefore it gave him considerable pain, when he said, that he should feel it his duty, in the course of a few days, to bring the conduct of that noble lord, with respect to the nomination of magistrates, under the observation of parliament.

Mr. *Peel* said, he should not answer the charges which had been made against the government of Ireland; the manner in which they were made rendered that task unnecessary. He should re-state what he had said on a former occasion as to the appointment of the magistracy. The lord chancellor never accepted the unsupported recommendation of any county member, considering that he had his interest in the county to support, and might be biassed by party considerations. The government always paid attention to the governors of counties and to the judges of assize.

Mr. *Windham Quin* said, the petitioners only prayed that the duties might be lowered, for the purpose of preventing the system of illicit distillation. They also complained that, under the present system of high duties, this evil had greatly increased. He would give one instance: in Limerick, not more than two years ago, there were one still of 1,500 gallons, and two of 500; there was now but one of 500, the others had ceased. The increase of fines for illicit distillation had gone to such an extent, that in the town-lands they were so great, that it was impossible to levy them. No persons would take land in those districts, lest they should be liable to those imposts, and the houses most notorious for the sale of this liquor were those in which disorders of every kind had grown to a great extent.

Mr. *W. Smith* said, that the inquiry ought to be made in the most general manner. In England the great distilleries had decreased from ten to four. In Scotland a similar reduction was found. The fact was, that be the liquor wholesome or not, the cheaper it was the greater was its consumption, and the more insubordination generally followed the facility of getting it in society. Any body who had seen Hogarth's admirable picture of Gin Alley, had seen this growth of vice admirably depicted. Whatever inquiry was adopted ought to be a general one.

Sir *N. Colthurst* said, that the growth of illicit distillation in Ireland had gone to a most unprecedented degree.

The petition was then laid on the table. After which,

Mr. *French* rose to follow up the subject by moving for a committee of inquiry. He complained that, under the present system, the innocent as well as the guilty were punished by the levying of fines: 93,000*l.* had been levied in one year—of which half went to the guager, and half to the Crown. The act had been in force only twelve or thirteen years, and yet not less than 6,000 persons had been prosecuted, so that the prisons were absolutely crowded. It often happened that the person guilty could not pay above ten shillings, and the collector went to those in the township who could best bear the fine. He would ask whether any man, conscious of his innocence, could bear to be thus unjustly stripped of his property? It was utterly in vain that government made grants for the encouragement of religion in Ireland, when the people were brought up to systematic perjury, in order to save the stills and their produce. Then the expense of prosecutions was enormous: in 1802 it had been 402*l.* 12*s.* 6*d.*; in 1807 300*l.*; but in 1814 there was disbursed for boards of council, 14,050*l.* while the expenses of the local solicitor-general were 53,800*l.*, and those of the second solicitor, 30,505*l.* The bill of costs for the prosecution of the 6,000 individuals he had mentioned was, 30,807*l.*, and the expenses of one province in fines amounted to 105,057*l.* How could people be patient who had these enormous sums drawn from them for crimes of which they were not guilty? The hon. gentleman then concluded by moving, "That a select committee be appointed to inquire into the causes and extent of illicit distillation of spirits in Ireland, and into the best means for the prevention thereof, and into the operation and effect of the present laws and regulations enacted for the suppression thereof, and to report their observations thereupon to the House."

General *Hart* seconded the motion, and observed, that those highly disciplined troops throughout Ireland, he was sorry to say, after having achieved honours abroad, never before excelled, and thereby restoring peace to their country, were now, it could not be denied, degraded to the situation of being obliged to obey excisemen in the performance of a system very similar to that before quoted. He urged the necessity of a committee that it might be explained to British members the situation Ireland was placed in, with respect to the existing excise laws.

Mr. *Vesey Fitzgerald* would have wished hon. gentlemen to have been a little more sparing in their invectives against the measures of government, and in their exaggerated statements of the present condition of Ireland, until the committee, which he had no objection to grant, should have examined a little more minutely into the subject. He was very ready to admit, that it was fit to inquire into the disorders which now existed in that unhappy country; but there was not one argument which the hon. member who spoke last had used, which might not apply as well to any other measure which had been adopted as to the present. The House had been told that half the population of Ireland had been induced to accede to the laws as they now stood, because half the fine, which amounted to 50*l.*, was applied to the use of infirmaries, and other public institutions; and it was now complained that the same sum was not granted when the fine was reduced to 25*l.*, just half the sum.

Sir *John Newport* said, that in what he had stated on a former occasion on the subject of the duties on spirits, no one was more devoid of personal considerations than himself, because he had neither established nor recommended the present system: but he was decidedly in favour of it, in opposition to drunkenness, vice, and immorality, which the cheapness of spirits tended to promote. As to the charge against the Ulster gentlemen, of winking at illicit distillation, if the hon. member had looked into the annals of the Irish parliament, he would have seen that even when lord Clare was attorney-general, that charge had been made, and he believed it to be well-founded. He was convinced that in those places where the fines upon town-lands had been levied strictly, the most beneficial effects had followed. The right hon. baronet read a statement of the number of stills which had been surrendered in districts where the fines had been levied. In Derry three legal stills had been established since the fines had been levied. The parliament should persevere in one system. The inhabitants had only to be convinced of the determination of the government to execute the law, and it would be obeyed. Nothing was more dangerous than perpetual vaccillation. When great evils were to be combated, great aversion was always shown to the laws, and all the arguments of distress would be urged; but to remove the high duties on spirits and the town fines, would be fatal to the Irish brewery and the morals of the people.

Mr. *Leslie Foster* said, that if the system of fines were given up, that of imprisonment must be adopted to a much greater extent, and the expense of the prosecutions would fall principally upon the people, who were already sufficiently oppressed. When the experiment was formerly made of abandoning the fines, the law expenses were much greater than at the present time. He wished the House would allow the present course pursued in Ireland to exist; for of this he was firmly convinced, that the fining system had never yet had a free trial.

Sir *J. Stewart* said:—I can assure the right hon. gentleman, the secretary for Ireland, that neither he nor any of his friends on the bench below, can more sincerely wish to remove the evil complained of than I do; and, as far as man can go, consistent with the safety and the principles of the British constitution, and the spirit of its laws, I shall heartily cooperate with him. Beyond that I must pause—and now I shall feel it my duty to call the attention of the House to the statute which is immediately connected with the subject before us, and which, by what has fallen from the chancellor of the exchequer for Ireland, I lament to find he is determined to persist in continuing—a statute so pregnant with ruin to my country—so repugnant to the best principles of our constitution, that I shall but explain it to the House by stating its monstrous enactments. First, however, to draw the attention of gentlemen to it—our constitution gives us, as our birth-right, personal security.—security of property, and the privilege of moving where we please; these are the birth-rights of a Briton. The security of property one class of our birthrights, is what materially now concerns our debate. Every man has a right to use the property that he possesses by inheritance, or by his agreement, as he pleases, provided the use he makes of it does not interfere with the restrictions that every state has a right to impose on it. The state here has imposed a restriction on the use of the produce of the earth, as far as to prohibit the proprietor from turning it into spirits, unless under certain regulations. The state had a right so to do, and the offence against such a regulation is a crime not *malum in se*, but *malum prohibitum*. Thus conformably to this power, the statute enacts, that the man who shall so use his corn against the provisions of this statute, is guilty of a misdemeanor, and shall be punished by fine and imprisonment. He has the constitutional defence of the interference of one jury between his innocence and accusation, and another jury between accusation and guilt. So far I agree with all the provisions of the statute as perfectly consonant to the spirit of our laws, and the principles of our constitution. But next comes a further enactment, in its provisions widely deviating from the line of justice, and enacting a punishment on certain individuals, because their residence happened to be within a certain district, near to the place where the offence of illicit distillation had been discovered. At first the parish was fined 50*l.*, and afterwards the town-land 25*l.* British—now, as the statute inflicts this penalty on certain inhabitants not charged with the offence of being present, aiding or abetting in the prisoner's offence of distilling, we must examine the statute to see what species of crime it charges these individuals with. But, Sir, we look in vain; the statute does not venture to define any crime, for if it did do that, the individual charged would, by the constitution, have his birthright of trial by jury. We are, therefore, to conjecture, and try if we can develope what species of offence the statute intended to stigmatize those inhabitants with. It is clear they are neither principals nor aiding and abetting; indeed, in misdemeanors of this species, the law does not admit of an accessary, and all aiding and abetting are principals. They are, then, not principals, for the law has disposed of them already. If then, they are not guilty as principals, I am warranted to say they are not guilty at all, as the statute has not created any new offence beneath that of principal in this case. They are then innocent, and they are punished. But there is one case in the British law, when mere knowledge of a crime intended to be committed is made an offence, and there is but that one, it is high treason, where, by statute, the mind is made guilty. Suppose, then, the legislature intended in this case to pronounce the mind that knew of a still being set up in a parish, and did not discover the fact, to be a guilty mind, why has it not said so; for if it had said so, then the man possessing that mind would have a right to be tried by a jury of his country, as in case of treason, and to have the benefit of the law. But here you do not give him that defence, or any of those defences that can be made in the highest crimes.—In treason, the visitation of providence on the idiot and the lunatic are defences. The infant cannot sin; but here it is no defence, that the person fined for not knowing that misdemeanor was about to be committed, had not a mind to know the difference between right and wrong; it is no defence to say, "I was absent and could not prevent it. I was at Waterloo fighting for you, and I could not aid your excisemen in Ireland—I was sick in bed, and could not rise—I was blind, and could not see—I was a cripple, and could not walk." No, this law, by a horrid and barbarous grasp, takes into its fangs the aged and the infant, the young and the old, the blind and the lame, the idiot and the lunatic, like the grave, it levels all distinction. You oppose the dispensations of providence; you punish the creature inflicted by temporal derangement, because he does not understand; the infirm and bed-ridden cripple, because he cannot walk; the child, because he cannot speak, and all because they will not turn informers of what they cannot know. Thus is every principle of our constitution violated. You deny defence, and you do not name a crime, but you punish an unknown crime without any redress, and all to lay your people open to the plunder and rapine of revenue officers, whom you enrich with the spoils of your unoffending subjects. When you thus by law confound guilt and innocence, and make the latter no shield to save the people thus unprotected, you will make common cause with the guilty, and protect them to protect themselves. The case has now turned out so, and by your barbarous enactments, you have demoralized that province in Ireland, that in the day of difficulty and danger, was your rock of defence. Those gallant men, who, when your secretary told Ireland that she must defend herself, stepped out as one man in arms, now hang their heads, drooping in despondency; and the arm that then was lifted high for England's protection, hangs lifeless and inanimate by their side. This is the consequence of your law.—You say you have a precedent from Alfred's reign, and from English statutes—I would rather you had precedents of a later date than Alfred; I would rather look to the æra of king William's reign: the revolution would be a better time to look for precedents in. As to your English statutes fining a hamlet when a robbery is committed in open day, it cannot apply. The party robbed, if he makes a cry in the vicinage and they do not aid him to take the robber, but are supine, may be fined. But in this case it is a felony, to which accessaries may be after the fact, and the apathy of the vicinage may be construed into that sort of offence, and besides it must be in open day. Here the case is not felony, and even the sacred hour of night is denied as a defence, and by night most of these crimes are committed. Oh, Sir, it is vain to search for precedents; there are none. This law is without precedent in principle; it is barbarous in its effects. It has a precedent in Russia; there I know there was such a law. It was attempted in Scotland, but it was almost instantly repealed by the vigour and determination of the gentlemen of that country, and since that time it has not been heard of. I ask you, at this moment, are not the highlands of Scotland more infested by illicit distillation than any part of Ireland? Apply it then to Scotland, and we shall not so greatly murmur. But why is Ireland, why is my unfortunate country not to enjoy equal laws and equal protection with England? What was told us at the union?—that the blessings of the British constitution and British liberty would directly expand over our land: I hailed the words from the noble lord (Castlereagh) below me; I call on him now to redeem his pledge, or say—

> Was the Hope drunk wherein we slept,
> And wakes it now to look so green and
> pale.

But if he is silent, or has not time to turn his thoughts to the miseries of his native country, I shall make my last appeal to the justice, the liberty, and the patience of a parliament, to whom the distressed never appeal in vain. My country now have petitioned you, they rely on that House, that justice, and that liberality, satisfied that it is but to make their sufferings known, and you will redress them —satisfied that it is but "to touch the hem of your garment, and they shall be whole."

Mr. *Peel* complained of the unfairness of continuing the debate upon the general principle of the question at the time when his right hon. friend (Mr. Fitzgerald) had precluded himself from replying, imagining that the discussion would not be persevered in. If the right hon. baronet who last spoke felt so indignant at this unjust, unconstitutional, and tyrannical law, why had he so long remained quiet under it? The law was originally enacted by the Irish parliament, and the British parliament was the first to repeal it. At the time when the system of fining town-lands was not established, the gaol of Cavan was so full that it was necessary to give the prisoners shelter by temporarily covering the yard: yet at the present moment, with this severer law, the gaols were comparatively empty. The committee of 1812 reported, after full investigation, that this law, now so odious, should be enacted: only three Irish members attended the committee, though all were invited, and only seven votes were recorded against the bill for imposing fines on town-lands when it was brought before the House; among them was not found the name of the right hon. baronet. It was not to this bill, but to the low price of grain in Ireland, that he (Mr. P.) attributed the increase of illicit distillation. As to the amount of fines, he would ask whether the county of Donegal had paid more in fines than it ought to have paid in revenue from spirits? Donegal, in truth, contributed but little to the regular revenue, and with the addition of the fines that county would still have a considerable balance in its favour. No doubt it would be easy to state individual cases of hardship under any most beneficial law, but no man would contend that they formed a solid objection to it.

Sir *N. Colthurst* said a few words in favour of the motion.

Lord *Milton* hoped that the committee would enter at large into the whole question. The object of a duty was either to raise a revenue, or to enforce morality; but if the effect of it were to increase the consumption of spirits, at least the moral habits of the people were not improved. He observed, that the law of fines was not unprecedented, since even in England laws existed which imposed pecuniary penalties on districts; but in this country they related to crimes that were *mala in se*, and in Ireland to *mala prohibita*.

Sir *G. Hill* contended, that the distinction between *mala in se* and *mala prohibita* was not in this case of importance. He justified the return made in 1812 to what was the ancient law of Ireland, with regard to fines on town-lands; and maintained that the exertions of the gentry of Ireland had been most beneficial. The marquis of Abercorn, whose name had been so unfairly and indelicately introduced by a gallant general, had succeeded in banishing almost every private still from his estates. Even if the law were more severe than at present, he would much rather submit to it than to the great evils that would result from the prevalence of private distillation.

Mr. *Cooper* maintained, that the gentry of Ireland had exerted themselves to the utmost; but he expressed his conviction that all their efforts could not complete the suppression of private stills.

The motion was then agreed to.

SOAP EXCISE BILL.] The Chancellor of the Exchequer moved the order of the day for the committee on the Soap bill.

Lord *Milton* hoped that this important measure would be postponed until another day. He had been given to understand that an arrangement had been made with which the soap-manufacturers in London were satisfied; but as he apprehended that it would not equally please his constituents, he begged to be distinctly informed what the arrangement was.

The *Chancellor of the Exchequer* said, that he had a reason for pressing the commitment that night, with which he thought the noble lord would concur: at present the consumers were in fact paying the duty to the manufacturers, who had proportionably raised the price of soap, and who were able to retain the whole additional profit for themselves, no bill having yet passed.

Mr. *Harvey* said that the manufacturers of soft soap might be satisfied, but he doubted if the manufacturers of hard soap were contented with the arrangement. The duties ought to be raised proportionably on each kind of soap, and then many objections would be removed.

The *Chancellor of the Exchequer* said, that one of the propositions in the committee would be to remove that disparity; and he had authority to state, that with that amendment the manufacturers of London would be satisfied.

Sir *M. W. Ridley* thought the soap-makers with whom he was connected would not complain if the duty were equal upon hard and soft soap. Objections upon the general principle would, however, yet remain. Potash was a most material ingredient in the manufacture, and he had reason to believe that the export of potash from Russia would be prohibited in the course of twelve months.

Lord *Milton* asked if by the arrangement the whole of the drawback upon hard soap was to be allowed?

The *Chancellor of the Exchequer* said, that it was his intention to omit the clause that diminished the drawback, and to give the manufacturers all the advantages they before possessed. It would be found that the reduced duty on soft soap would be raised to the same proportion it before held. He added, that the whole of the new duty would be drawn back on exportation, and as much of the old duty as had before been allowed.

Mr. *Protheroe* said, that the Bristol manufacturers would not be contented unless the duty attached equally upon hard and soft soap. He objected to the principle of the tax, as bearing hard upon the lower classes; and wished it had been brought forward in the first instance as a measure of taxation, which was the shape it now assumed.

The *Chancellor of the Exchequer*, for the purpose of removing any notion that ministers had concealed their real design in this measure, explained, that it originated in a desire to give encouragement to the whale fishery: it first, therefore presented itself as a matter of regulation, until it was found that it might be useful as a measure of revenue.

The bill then went through the committee.

REGISTRY OF SLAVES]. Mr. *Hart Davis* presented a petition from the planters, merchants and others interested in the British West India colonies, residing at Bristol, setting forth,

"That the petitioners have heard with the most serious alarm that notice has been given of a bill about to be introduced into the House purporting to enforce, throughout the British West India colonies, a general registry of slaves, to be enforced by penalties and forfeitures, and disclosing in its details a spirit of interference with the local legislation of the colonies, which, from the combined considerations of policy and justice, cannot be too anxiously checked and deprecated: and that they have for some time past seen with the most serious regret, and contemplated with alarm, a series of endeavours to induce a belief in the parliament and people of the united kingdom that the statutes for the abolition of the slave trade have become non-effective, or at least weakened in operation, by the bad faith and illicit conduct of the colonists: and that the bill in question can only be founded upon the principle that those charges against the colonists have either been strictly and legally substantiated by evidence in numerous and flagrant instances, or have become so generally notorious as to render proof unnecessary; and that the petitioners have been unable, from the records of parliament, the proceedings of our courts of judicature, or from any other public or authentic source, to discover the slightest evidence of this delinquency; but, on the contrary, they have seen the colonial legislatures expressly denying the imputation, and boldly challenging the assertors to the proof, and they have heard, and believe, that his majesty's government is now in possession of positive information, derived from the highest and most authentic sources, that the acts for the abolition of the slave trade have in no instance been infringed; that the petitioners submit with confidence to the House, that it is contrary to the principles of British jurisprucence, the birth-right of Englishmen, and the natural privileges of free-born subjects, to suffer penalty, either in person, character, or estate, but for offences legally charged and strictly proved; that the proposed bill is evidently viewed by the colonists not only as oppressive in itself, and in direct violation of the unalterable principles before laid down, but as introductory to a more extended system of interference with their municipal regulations and domestic concerns; and that the petitioners beg leave most humbly, but earnestly, to draw the attention of the House to the perilous results which must be expected from the legislative adoption of a measure viewed by the colonists, and, as the petitioners believe, by a large proportion of the inhabitants of the mother country, as founded upon no just principle, resulting from no deliberate inquiry, but tending, in a great measure, to alienate from Great Britain the affection of her West India colonies, from whom she has hitherto received the warmest, most liberal, and most efficient support, not only in revenue, but in every other resource conducive to the strength and well-being of a state; that the petitioners, although they cannot, without the most serious apprehension and alarm, contemplate any measure which may tend, even in idea, to endanger an intercourse so beneficial and so valuable, yet they are desirous to seize this occasion of declaring to the House that they feel the most sincere solicitude to promote, by every rational and secure course of proceeding, any further amelioration in the condition of slaves in the British colonies which circumstances may require, and they feel that the interest of the proprietor is indissolubly connected with the well being of the slave, of which the law has guaranteed him the possession, but they submit to the consideration of the House, that amelioration in such condition is not likely to result from a measure like the present, originating, as the petitioners firmly believe, in absolute ignorance of the subject, and the important consequences connected with it; and that the petitioners, resting with confidence in the wisdom and justice of the House, humbly pray that the bill in question may not pass into a law, and that the petitioners may be heard by their counsel or agent, against the same."

Mr. *Protheroe* said, that several of the petitioners were to his knowlege as decided advocates for the abolition of the slave trade as any class of men in the empire. It was notorious, indeed, that the merchants of Bristol voluntarily abandoned the slave trade, before it was abolished by the legislature. Therefore this petition was entitled to peculiar attention.

Mr. *Brougham* said, he had no disposition to deny the merchants of Bristol any compliments the hon. member thought proper to pronounce; but he could not see what motive could prompt those merchants to petition against a bill affecting the West India colonies, or what sort of interest the petitioners could feel upon the subject of a measure, not yet brought before the House, and which those petitioners ventured to call a breach of the constitution.

Lord *Castlereagh* rose to ask Mr. Wilberforce, whether he proposed to bring forward any measure with respect to the registry of slaves in the West Indies during the present sessions, because if such were his hon. friend's intention, he should press upon his attention certain considerations, which he hoped would induce him to waive his purpose. The negociations pending with certain foreign powers upon the subject of the slave trade, materially bore upon the question to which his project referred, and upon the result of those negociations his hon. friend might himself feel it expedient to vary his grounds. He did not mean to say, that if those negociations were even successful, it might not still be expedient to adopt some practical measure for the registration of slaves. Such a measure would clearly be useful, as it would afford an accurate knowledge of the black population of our colonies. He need not state to his hon. friend that government were friendly to his system, as that system had been acted upon in the several colonies under its immediate control. But with respect to the other colonies, he suggested for the consideration of his hon. friend, whether his system was not much more likely to be effective, and his object more secure of attainment, if carried on in concert, and with the co-operation of the local legislatures. These legislatures were known to have themselves a measure of registration in view, and he assured his hon. friend that government would remit no endeavour to draw their attention to the subject. On these grounds he hoped his hon. friend would abstain from pressing any measure for the present. To the introduction of his hon. friend's bill he did not mean to object, but he trusted that he would not advance it farther than a first reading. As to the right of parliament to legislate for the colonies, nothing short of absolute necessity should urge the assertion of that right, however indisputable, especially on a measure which proposed to subject these colonies to taxation against the will of the local authorities. From the state of the Spanish colonies some facilities were no doubt afforded for the clandestine importation of slaves into our settlements, but he looked for an effectual guard against the evil in the conduct of the local legislatures, who would he hoped be induced to take up the matter themselves.

Mr. *M. A. Taylor* assured the hon. gentleman and the House, that he would use every influence which his connexion with the colonies afforded, to promote the main object of the hon. gentleman's measure, namely, the registration of slaves; for he was most anxious to support any measure which promised any benefit to the negroes.

Mr. *Wilberforce* said, he was happy to hear the hon. gentleman's declaration, as his influence could not be doubted: but yet it must be remembered, that every exertion used, every promise held out in 1797, to induce the colonial authorities to co-operate in the abolition of the trade, proved totally unavailing; and therefore he could not, he confessed, feel any very sanguine hopes from that quarter upon the present occasion. It was impossible, however, that he should not feel the force of the appeal of his noble friend; for his success in former negociations upon the same subject naturally encouraged his reliance upon the result of the negociations alluded to. He should therefore make one concession to the advice and opinion of his noble friend. But still he felt the propriety of some discussion upon the merits of the measure he had in contemplation; and with a view to that discussion, he should move for some papers on that day se'nnight. He concurred fully with his noble friend, that the co-operation of the local legislation would most materially aid the object which he had in view. But while he wished to abstain from any language at all likely to offend, he could not consent to deceive himself; and therefore he should undoubtedly bring forward, at an early period of next session, his promised measure to prevent the clandestine importation of slaves into our West India colonies, by establishing a system of registration. With regard to the publications which had appeared on this subject, such intentions and actions had been attributed to him by some of those writers, that if true nothing but a special providence could have saved him from being hanged 30 years ago. He was not, however, in the slightest degree disturbed by such accusations, especially considering the quarter from whence they came. He recollected a remark of Mr. Gibbon, that every class had its own peculiar howl, or note, or cry, and he could easily discover the quarter whence the howl against him proceeded. Men were likely to speak the language of the circle with which they mixed, and he was always likely to incur the abuse of a certain circle.

The petition was ordered to lie on the table.

Motion for a Bill to repeal the Usury Laws]. Mr. Serjeant *Onslow* rose and said:—

Mr. Speaker;—The motion which I now rise to make is, for leave to bring in a bill to repeal the laws which regulate the rate of Interest on private Loans of Money. I mean that the repeal shall be absolute and unqualified, except as to the time when the operation of the act shall commence. I am convinced that the laws in question are so radically absurd, mischievous, and unjust, that no modification of them ought to be attempted. Indeed, Sir, I am not in general fond of modifications; I agree with Mr. Burke in regarding them as the resources of weak undeciding minds. Although in general those who argue for imposing or continuing restrictions are justly expected to show their necessity; yet, when I attempt to destroy a system so long established, and to which so much blind deference has been paid, it may be thought I am called upon to state, in the first instance, the grounds of my proceeding. Many of the laws enacted in ages of darkness, and which have been repealed in times of more advanced civilization, had their origin in erroneous views of policy: and the system I now seek to demolish, had its origin in the most groveling superstition. The taking of interest for a loan of money, or usury, as all interest was then called, was held in abhorrence from the mistaken application and extension of a text in Scripture. Against this practice, in any shape, all the censures of the church were directed. In the council of Lateran, it was held, that it could not be allowed, even if the profit was applied to the redemption of captives: and it was decreed, that those who received interest, should be excluded from the communion of christians in their lifetime, and should be deprived of the burial rites after their decease, unless their heirs restored the interest taken. In the same spirit, the council of Vienna condemned as heretics, all who held the taking of interest to be lawful. The fathers of the church seem to have singled out this practice, as the object of their keenest invectives: one of them closes a virulent declamation, by declaring all who took interest for loans of money to be, "dogs, monsters, vipers, and devils;" another called them "baptized Jews;" a third compared them to "bawds, robbers, and house-breakers;" and pope Leo the great, at a later period, declaimed with equal absurdity and virulence against the practice. It was not merely on the authority of the text of Scripture I have alluded to, that these enlightened ecclesiastics founded their opinions. Aristotle, to whose authority they implicitly submitted their understandings, had found out, that interest ought not to be "taken for money, because money was in its nature barren;"—to minds in the habit of implicit submission, no sophism, however silly, is revolting, if it proceeds from authority they venerate. Sir, the reformers did not early throw off these shackles. Luther declared that the pope having sanctioned the legality of the "contractus redemptionis," had tolerated usury, and held that to be a decisive proof that the pope was Antichrist. Melancthon, Bezar, Zuinglius, all agree, though in milder terms, that taking interest for money is sinful. Calvin, indeed, admits that it did not appear to him from any scriptural authority that the taking of interest was altogether to be condemned, but adds, that those who took interest should not be suffered in a well-constituted government, but that they should be expelled from the society of men.

Agreeing, Sir, with the opinion that to trace an error to the fountain head, is to refute it, I have thought it not a waste of the time of the House, to show what were the opinions of the Christian world, when our ancestors legislated on this subject. And, Sir, the laws they enacted were as absurd as the opinions that produced them. It appears that from the earliest periods of our legal polity, down to the reign of Henry 8th, the taking of interest was absolutely prohibited to Christians, although for a considerable portion of that period it was allowed to the Jews, I suppose, on the same maxims of policy by which in Turkey the bashaws are allowed to plunder the people, that they may in their turn be plundered by the Porte. The first statute that allows the taking of interest, was passed in the reign of Henry 8th, and which expressly states, that the laws made for the prevention of that practice had been ineffectual: the rate of interest allowed by that statute was 10 per cent. In the reign of Edward 6th, the horror against taking of interest revived in full force, the act of his father was repealed, and the taking of any interest was utterly prohibited, "as a vice most odious and detestable," and declared contrary to the word of God. The consequence of which was, according to a contemporary historian, that the rate of interest which was commonly taken rose to 14 per cent. In the reign of queen Elizabeth, the inefficacy of the prohibition was discovered, and the former rate of 10 per cent. allowed; but a clause was inserted, declaring the taking of interest to have been forbidden by the law of God, and to be sinful and detestable. This clause, Sir, it appears was inserted in compliance with the opinions of the bishops, who would not consent to the passing of the act without this declaration—indeed it did not pass the House of Commons without strong opposition; it was encountered there with all the virulence of ignorant superstition, and one of its opponents (Dr. Wilson, a man famous in his day, and whom Dr. Johnson mentions as celebrated for the extent of his knowledge), after declaring, that "it was not the amount of the rate of interest taken that constituted the crime, but that all lending for any gain, be it ever so little, was wickedness before God and man, and a damnable deed in itself, and that there was no mean in this vice, any more than in murder or theft," ended with telling a ridiculous story of an ass in Italy, on whom the dead body of a man who had taken interest being laid, in order to be carried to the church, had such instinctive horror of its burthen, that it immediately ran away with the body to the gallows. In the reign of James 1st, the legal rate of interest was reduced to 8 per cent.; during the commonwealth, to 6 per cent., and after the restoration, that rate was adopted. In the reign of queen Anne it was reduced to 5 per cent., at which rate it has ever since continued in Great Britain, but a higher rate is allowed in Ireland and in the colonies.

The first author who seems to have attacked this policy was Mr. Locke; he boldly combats the expediency of any restrictions, and declares their inefficacy. He says, "The first thing to be considered is whether the price of the hire of money can be regulated by law, and to that I think, generally speaking, one may say it is manifest it cannot; for since it is impossible to make a law that shall hinder a man from giving his money or estate to whom he pleases, it will be impossible, by any contrivance of law, to hinder men, skilled in the power they have over their own goods, the ways of conveying them to others, to purchase money to be lent them, at what rate soever, their occasions shall make it necessary for them to have it. For it is to be remembered, that no man borrows money or pays use out of mere pleasure; it is the want of money that drives men to that trouble and charge of borrowing, and proportionably to this want will every one have it, whatever price it costs him. Wherein the skilful will always so manage it as to avoid the prohibition of your law, and keep out of its penalty, do what you can. What, then, will be the unavoidable consequences of such a law? 1st, It will make the difficulty of borrowing and lending much greater whereby trade (the foundation of riches) will be obstructed. 2d, It will be a prejudice to those who most need assistance and help, *i. e.* widows and orphans. 3d, It will mightily increase the advantages of bankers and scriveners, and other such export brokers, who, skilled in the advantages of putting out money according to the true and natural value, will infallibly get what the true value of interest shall be above the legal. 4th, It is likely to cause great perjury in the nation. But that law cannot keep men from taking more use than you set (the want of money being that alone which regulates its price) will perhaps appear, if we consider how hard it is to set a price on wine, or silks, or other unnecessary articles. And how impossible it is to set a rate upon victuals in a time of famine. For money being a universal commodity, and as necessary to trade as food is to life, every body must have it at what rate they can get it, and unavoidably pay dear when it is scarce; you may as rationally hope to set a fixed rate upon the hire of houses or of ships, as of money. In respect of the varying need and necessity of money, it is as little capable of having its yearly hire fixed by law as land itself. Those who consider things beyond their names, will find that money, as well as all other commodities, is liable to the same changes and inequalities. Nay, in this respect of the variety of its value, brought in by time in the succession of affairs, the rate of money is less capable of being regulated by law in any country than the rent of land, because to the quick changes that happen in trade, this too must be added; that money may be brought in or carried out of the kingdom, which land cannot."*

Such, Sir, were the sentiments of that great man, even at that period, on this important subject; sentiments, the truth of which recent occurrences have fully demonstrated. Near twenty years ago, Mr. Bentham (who is well known as an acute and independent thinker), published his admirable treatise on this subject. I am happy to find, that he has recently republished it. I trust most members have read it, and to those who have, any arguments of mine must be unnecessary. He has indeed exhausted all that can be said on the subject, and though I may not expressly mention his name in what I have to add on this subject, I beg leave to say that much indeed will be borrowed from his labours: there is only one part of this subject on which I presume to differ from him; he thinks that laws restraining the rate of interest may be efficacious; on that point I think I can show that Mr. Locke formed a juster opinion. Let us, Sir, consider what causes influence the natural, or market rate of interest, or compensation for the loan of money. Mr. Hume says, that high interest arises from three circumstances, a great demand for borrowing, little riches to supply that demand, and great profits arising from commerce; that low interest proceeds from the three opposite circumstances, a small demand for borrowing, great riches to supply that demand, and small profits arising from commerce. But to the causes of high rate of interest enumerated by Mr. Hume, may be added the intervention of injudicious laws on the subject. Whenever the interest of money has been prohibited by law, such regulation, instead of preventing has always increased, the evil of usury; the debtor has been obliged to pay not only for the use of the money, but for the risk the creditor runs of incurring the penalties of usury; this was fully shown by the sudden rise that took place in the rate of interest, when the prohibition was renewed in the reign of Edward 6th; similar effects have taken place in countries governed by the Mahometan laws; and the more rigid the execution of the laws of prohibition has been, the more exorbitant the rate of interest actually taken. Similar effects ensue when the legal rate of interest is below the market rate; the wants of mankind have greater influence than the regulations of the law, and as the creditor will not accept of a less compensation than the use of it is worth, the debtor must recompence him for the risk he runs; and the premium of that insurance is added to what would otherwise be accepted as the full value of the loan.

Sir, without recurring back to more distant periods, let us observe the recent effects of these laws. Money for many years has not been obtainable on the best securities at the legal rate of interest, except in cases where money has been placed in the hands of trustees, and the application of it limited to mortgages; or where estates have been sold on the express condition, that part of the purchase money should remain on mortgage for a stipulated number of years; the very few other instances in which it has been so lent, can be accounted for, either by the impulse of private friendship, or by circumstances of a very peculiar nature. Such a situation is the natural, the inevitable result of an attempt to counteract the natural course of pecuniary transactions; gentlemen possessed of ample freehold estates, over which they had the absolute control, have been compelled to resort to the same destructive expedients, as were formerly the resource of those who had only a personal, or at the utmost a security for the term of their own lives to offer; annuities have been granted for the term of several lives, at the rate of 12, 14, and 15 per cent., in addition to which the grantors have been compelled to pay the premiums of insurance on the lives of the persons named in the grant of the annuities. I know that very recently a gentleman possessed of a large estate, in fee simple granted an annuity for four lives (and the survivor of them), named by the grantee for the consideration of eight years purchase: these annuities are made redeemable, and considered and treated for merely as loans of money. My hon. and learned friend, the member for Ashburton (Mr. Preston), who seems to imagine, that all the evils of mankind, both political and natural, are to be cured by legislation, nay that even soil and climate are under the control of parliament, lately moved for and obtained (though with difficulty), leave to bring in a bill to prevent annuities being granted, with conditions for their redemption.* The reception the proposition met with from the House, will, I fancy, prevent his proceeding further with his project. What, Sir, could be the effect of such a law, but to compel those who wanted money, to grant irredeemable annuities? It could only augment the evil it sought to remedy. This mode of annuity has been of late so prevalent, as almost to supersede the other modes of evasion which Mr. Bentham enumerates. In other countries similar effects have followed from similar laws. Mr. Bentham points out how the law fixing the rate of interest was evaded in Russia and in France. Dr. Adam Smith shows that the attempts to limit the amount of the interest taken, has been equally ineffectual. In Holland and at Hamburgh the rate of interest has been left to its natural operation; and whilst here and in other countries where it has been limited by law, the market rate has risen so far above the legal rate, the rate of interest both in Holland and at Hamburgh, has been under the rate we fix by law. I am credibly informed that the average rate has not exceeded 4 per cent. But, Sir, it is not only in times when the general market rate of interest exceeds the legal rate, that the evil of those laws are felt; they are felt, although in an inferior degree, when the market rate of interest, on the best securities, is equal to the legal rate; then those who have only personal or inferior security to offer, are subject to the evils, and compelled to resort to the evasions, I have just mentioned. How much our distresses have been augmented by the operations of these laws, has been most ably and eloquently shown on former occasions by my hon. and learned friend, the member for Winchelsea.* Much indeed, Sir, do I lament that his various and important avocations did not allow him to comply with my solicitations to bring this measure before the consideration of parliament. In his hands it must have been irresistible; but I trust it cannot fail of ultimate success, even when introduced by a man so private, so unaided by any political connexion as myself.

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* Locke's Considerations of the Consequences of lowering Interest and raising the Value of Money.

But, Sir, What are the reasons that are alleged in defence of these laws? What are the objections that have been urged against leaving the interest, or in other words, the rent or hire of money to find its own level, in the same manner as the rent of land or houses, or the hire of any other commodity? One that I am told has been urged is, that in that case all would be lenders and no borrowers; another, that no trade would be followed, but that of lending money, Sir, I really believe these objections are as well founded, as any of the others that I have heard urged. It has been said, that if the rate of interest was unrestrained, that the greatest part of it would be lent to prodigals and projectors; and even Dr. Adam Smith has lent his great authority to that objection. Is that the course pursued in other occurrences of life? Do gentlemen habitually let their farms to those who offer the highest rents, without any attention to the prospect of payment? When money is plentiful in the market, do lenders only seek the highest rate of interest without regard to the nature of the security? But, Sir, I can refute the doctor by his own authority—a very few pages before he lays down the position I now combat, he delivers the following sentiments: "The stock which is lent at interest is always considered as a capital by the lender. He expects that in due time it is to be restored to him, and that in the mean time, the borrower is to pay him a certain annual rent for the use of it. The borrower may use it either as a capital or as a stock reserved for immediate consumption; if he uses it as a capital, he employs it in the maintenance of productive labourers, who reproduce the value with a profit; he can in this case, both restore the capital and pay the interest, without alienating or encroaching upon any other source of revenue. If he uses it as a stock reserved for immediate consumption, he acts the part of a prodigal, and dissipates in the maintenance of the idle, what was destined for the support of the industrious. He can in this case neither restore the capital nor pay the interest, without either alienating or encroaching upon some other source of revenue, such as the property or the rent of land. The stock which is lent at interest, is no doubt, occasionally employed in both these ways, but in the former much more frequently than in the latter. The man who borrows to spend, will soon be ruined, and he who lends to him will generally have occasion to repent of his folly. To borrow or to lend for such a purpose, therefore, is in all cases, where gross usury is out of the question, contrary to the interest of both parties; and though it, no doubt, happens sometimes that people do both the one and the other, yet from the regard that all men have for their own interest, we may be assured that it cannot happen so very frequently as we are sometimes apt to imagine. Ask any rich man of common prudence, to which of the two sorts of people he has lent the greater part of his stock—to those who he thinks will employ it profitably, or to those who will spend it idly—he will laugh at you for proposing the question. Even among borrowers, therefore, not the people in the world most famous for frugality, the number of the frugal and industrious surpasses considerably that of the prodigal and idle. But, Sir, if the law is to interfere with respect to prodigals, why is their interference confined to loans of money? Why not extended to their purchases of goods?—modes by which prodigals obtain money, at much greater disadvantage than any excess of interest,—their sales of estates, or to the quantum they borrow, as well as the rate of interest they pay? With respect to projectors, I must observe with Mr. Bentham, that those manufactures we exult in, as the causes and ingredients of national prosperity, were originally projects; that whatever is now the routine of trade, was once project; whatever is now establishment, was at one time innovation. I say with him, that those who aim at any improvement, those whose ingenuity stands in need of wealth for its assistant, come within the description of projectors; that to limit interest to a rate at which the carriers on of old and well established trades, are glad to borrow it, is to give them the monopoly of the money market; and with him, I also say, that the progress of the prosperity of mankind has been much retarded by these laws.

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* See Vol. XXXII. p. 336.

* Mr. Brougham. See Vol. XXXII. p. 392.

Another objection that I have heard urged is, that in consequence of these laws, government has been enabled to borrow at a lower rate than it could have done, if the rate of interest had been unrestrained. Sir, whatever diminishes the prosperity of the country, must increase the difficulty of the chancellor of the exchequer in contracting for public loans. And here, Sir, I cannot help remarking, that all the governments who have restrained the rate of interest on private loans, have found themselves habitually compelled to exceed that rate in their public loans. Indeed, in this country, so recently after the passing of the act of queen Anne, as the 3rd year of the reign of her successor, the bank of England was allowed to give a greater rate of interest for money borrowed, than the rate fixed by law. In addition to all other considerations, I think that it is unjust, as well as impolitic, to fix a maximum on the produce of money. Sir, I repeat that opinion, notwithstanding the gestures of the chancellor of the exchequer. But, Sir, although I am decidedly of opinion, that the distresses of the country, particularly of the landed interest, in all its branches have been most materially aggravated (in many instances produced) by the operation of these laws, I do not intend that the repeal should immediately take effect; an instantaneous repeal, even of this most absurd and pernicious system would not now be in my opinion either desirable or safe; it would tend too much to disturb existing contracts; therefore I shall propose in the committee to fix a day some years distant, as the time when the operation of the act shall commence. Sir, viewing these laws as I do, as having had their foundation in blind superstition, to have been framed in no spirit of true policy, as adverse to every just end of political economy, and as one of the principal causes of our present embarrassments: I move, "That leave be given to bring in a bill to repeal the Laws, which regulate or restrain the Rate of Interest."

The *Chancellor of the Exchequer* thought that after parliament had borrowed eleven hundred millions, under the existence of the laws in question, and the faith of their continuance, it would neither be wise nor just to repeal them at once, and without due deliberation. The system of our public debt, which might be affected by any change of them, imposed upon the House the necessity of caution in entertaining any proposition like that of the hon. and learned gentleman. The creditors of the state, who had lent their money when a certain system of restriction prevailed, might have reason to complain of a want of equity and good faith, if the laws were suddenly altered that regulated the other money transactions of the community. Such a repeal might be very injurious to public credit. He did not state it as his positive belief that this would be the consequence; but still, as it was possible such a consequence might follow, he did not think the danger ought upon slight grounds to be risked. It was said, that the laws against usury had no beneficial effect in preventing it, as they were in practice evaded, and only forced the borrower to pay a higher rate than he would otherwise be required to do, if all legal interference were removed. He was ready to allow the truth of this statement in some instances; but still he would contend that the law, though sometimes evaded, served as a rule of direction in general. At any rate, any change in it might operate injuriously in the present circumstances of the country. It might affect the value of the funds, and shake the established system of money transactions. During the present session of parliament much of the attention of the House had been directed to measures which might tend to support confidence, and to consolidate public credit, and it would be unwise to entertain rashly and precipitately a proposition that might remotely endanger them. He would give no opinion upon what it would become parliament to do on a subsequent occasion, and in different circumstances; but as the subject required such time and deliberation before any measure was adopted as could not be bestowed at the present period, he felt it his duty to move the previous question.

Mr. *Baring* said, he was prepared to vote in favour of the original motion, as he could not see any of those dangers likely to result from a repeal of the usury laws which were apprehended by the right hon. gentleman opposite. The right hon. gentleman had stated his fears that the measure might affect public credit; but he had abstained from bringing forward the grounds on which his fears rested. He could not possibly conceive how this result could be produced; nor had the right hon. gentleman in the least enlightened him, or given him any key to unlock his meaning. If by public credit was meant the state of the public funds, he could not imagine the manner in which their value or security could be in the smallest degree affected by the most perfect freedom established between the borrower and the lender of money; but supposing, contrary to his opinion or expectation, that some effect should be produced on them, still he thought such a contingency was not a sufficient objection to a measure that must so demonstrably contribute to advance the general interests of the empire. On the supposition that perfect freedom in money transactions would raise the rate of interest, and cause a flow of capital from the funds to the improvement of land, would not the measure be advantageous to the country? Proprietors anxious to improve their estates, and thus to increase the resources of the empire, could not now procure a loan on the best security, from the high and usurious interest which government itself gave, and which it prohibited them from giving. Government thus enjoyed a monopoly of the money market, and prevented the improvement of the country. In fact, whether borrowing on the security of funds or of land, the present laws that interposed between the contracting parties appeared equally impolitic and absurd. If they were repealed, money could always be had upon good security, and at the lowest rate that the situation of the money market would allow. As matters at present stood, funds could indeed be raised by borrowing, but in a very circuitous way, and on very disadvantageous terms. The borrower was obliged to pay from 10 to 15 per cent., instead of the fixed rate, by the expedients which impolitic restraints forced him to resort to. The class of persons who engaged in these transactions, and to whom, from the state of the law, the borrower was obliged to resort for supplying his necessities, were disposed to take all advantages of his situation, and made him pay double the amount, in the shape of redeemable annuities, that he would do in the shape of interest, if the rate was perfectly unrestricted, and a higher interest than that now taken made fair and honourable. The immense sums now raised from people of indifferent characters would be obtained on equitable terms from persons of a different description. While government borrowed at 6 per cent., and in this manner regulated the market at that high rate, it could not be expected that individuals could be supplied with loans at 5 per cent., while the same authority prohibited them from offering more. With the principle of the hon. and learned gentleman's bill, which would remedy this state of things, he therefore entirely concurred; but he had an objection to its introduction in point of time. He thought it would be better, after the House had shown a disposition to entertain the measure, to postpone its actual enactment to a future session. He made this observation, not in favour of those who would borrow at a new rate, but in favour of those who had borrowed at the old. The lender, from a belief that he could obtain better terms, might be induced suddenly to call in his loans, or the borrower to redeem his annuities, and thus embarrassment might be produced on both sides. Time should be allowed to parties to adjust their interests, or to call in their mortgages. This was his reason for urging delay; but even if in the present session the measure was pressed through the House, although he should be obliged to express his disapprobation of its precipitancy, he would still lend it his suffrage on account of its principle. If the peace continued, stocks might be expected to rise, and the rate of interest consequently to fall; so that, in the course of a year or two, no embarrassment would be produced by a change. At present, while government gave 6 per cent., and prohibited others, under the penalties of usury, from borrowing at above five, a door was opened for every species of fraud, falsehood, extortion, and dishonesty. He would appeal to the hon. and learned attorney-general, and ask him, if numerous causes did not come into court, in which he, as chief law officer of the Crown, attended, where the principal source of the evil might be traced to the usury laws? If any additional reasons were necessary to induce a repeal of them, these reasons might be found in the fact, that the rate of interest was lowest where no restrictions existed. In Holland there were no laws fixing the rate of interest, and it had fixed itself generally at 3 per cent. Though friendly to the principle of the bill, he would rather wish to see its introduction delayed to a future session; but if the hon. and learned gentleman pressed it in this, he should feel himself bound to support it.

Mr. *Preston* opposed the motion on the ground that the bill to be introduced, if carried into a law, would enable prodigals and projectors to borrow money at rates which would involve the ruin of their creditors as well as of themselves. He had heard much of Mr. Bentham's book against the usury laws, but he had never looked into it till that morning. With little trouble he thought he could answer every proposition he had advanced to the satisfaction of every member of the House. The hon. and learned gentleman discussed at some length doctrines connected with the subject, disputed some of Mr. Bentham's principles, and reprobated warmly the system of redeemable annuities, and concluded by pledging himself to oppose the introduction of a bill which went to abolish a law that had so long stood on our statute book.

Sir *John Newport* thought that his two hon. friends had made out a sufficient case against the usury laws, and justly called upon the House to annul them. Holland had been adverted to as a precedent, and he allowed that the example of that country furnished powerful authority. The evils of the present system were apparent, and the inconsistency of the law and the practice of government, striking. When the state prohibited a rate of interest from being given by others which it itself gave, it forced individuals to take circuitous methods to supply their necessities, and thus increased the charges to which they were liable. The consequence of this system was, that no money was lent at the legal interest; and the fetters of the law, as they could not be borne, were generally evaded. The whole money transactions of the country were managed in a manner to defeat the law by which they were restrained. So far was the annuity system carried, that respectable individuals vested their funds in it. In a marriage settlement, with which he was acquainted, it was thought for the interest of the parties that money should be taken at a mortgage, and laid out in annuities. The chancellor of the exchequer had objected to the bill, on the ground that it would affect the funds, but as his hon. friend on the floor, had mentioned, he had stated no reasons for entertaining such an opinion. His hon. friend had justly answered this objection, even though well founded, by observing, with his characteristic spirit and liberality, that such an apprehension would not deter himself, who had so great an interest in the funds, nor should influence parliament to oppose the measure. The British merchants should be left to consult their own interests in making their own compacts with regard to money, and by doing so they would best consult the interests of the public. Money should, like any other commodity, be left to find its own value in the market. This principle was so plain and so undeniable, that half an hour's reflection would be sufficient both to comprehend its nature, and to be convinced of its truth. The common interests of the borrower and lender would best be consulted in a bargain to which they should mutually consent without legislative interference. The hon. gentleman who spoke last with great reverence for the statute-book, had asked, would we abolish a law that had so long stood on it. His answer was, yes, when he found its operation worse than useless. If no measure was to be removed from the statute-book because it once stood there, their acts on the subject of usury would be found in the same page with those relative to sorcerers and witches.

The *Attorney General* said, that the real question was, whether the House should at once, at this period of the session, adopt a measure that would produce such important alterations in all our money transactions, or whether, as it was proposed on the other side, it should postpone the consideration of it to a time when it could be properly investigated. It appeared to him, that all the arguments used by the hon. gentlemen opposite, showed the propriety of taking a due consideration of the subject under all its bearings. He was not in a proper condition at present to give a decisive opinion either for or against the continuance of the usury laws, but he should have no difficulty in voting for the previous question, in order to obtain time for investigation.

Mr. *Abercrombie* supported the motion. He agreed that in the first instance the measure might produce a great shock, and perhaps, even raise the rate of interest; but he was convinced that it would ultimately and permanently decrease it. He suggested the propriety of introducing into the bill some provision to protect those who had already borrowed money against the first effect of the measure.

Mr. *Ponsonby* thought the hon. and learned gentleman who had proposed the present measure entitled to the thanks of the community. He was convinced that the extravagance of many young men was much more destructive to them at present than if there were no laws to regulate the rate of interest. He did not think it practicable to introduce any provision in the bill to protect those who had already borrowed money, but the measure itself would provide a remedy, because the mortgagee would have it in his power to give as good security as the mortgager might hope to procure in any other quarter. He wished the measure, however, not to be pressed on without due time for consideration.

Mr. *Finlay* was surprised that the previous question should have been moved by the chancellor of the exchequer, whose opinions had, he thought, been lately expressed in favour of the measure. He should rather have expected that the right hon. gentleman would have moved for the appointment of a committee. He could see no reason why restrictions should be placed on money, when they were not on land, except that government wanted a monopoly of the one, and not of the other. Besides there were different legal decisions on this point. In Scotland that was not admitted to be usury which had been decided to be so in England. The sooner this system was quashed, therefore, the better for the interests of all parties.

Mr. *B. Shaw* considered the hon. and learned serjeant intitled to the thanks of the country for having brought forward the present subject, at the same time, looking to its great importance and the manner in which it appeared to be received by the House, he hoped there would, on his part, be no objection to its remaining over for another session. The honourable attorney-general had said, that much learning was not necessary for a proper understanding of the question; and if it had he would not have ventured to trespass upon the House, but having some practical experience he was desirous of offering a remark on the injurious operation of the law in its present state. Whether the rate of interest were fixed at 4 or 5 per cent., the laws respecting usury should be so clear that "he who runs might read;" as the case now stood, such was the ignorance of their nature and effect, that two persons should as nearly as possible perform the same acts, but in consequence of a trifling unnoticed difference, while the one was considered to have conducted himself in an honourable mercantile manner, the other, with intentions equally upright, was threatened with an action for usury, and, in the uncertainty of what the event might be, rather than risk his character and a penalty of four times the value, was compelled to forego his debt altogether. The learned gentleman opposite (the attorney-general) in his professional practice must have had to advocate causes in which, though a client might be legally intitled to a verdict, the grand moral principle was totally lost sight of, "of doing to others as you would be done unto."

Mr. *H. Martin* supported the motion.

General *Thornton* wished some attention should be given to the subject, and hoped that the learned gentleman would withdraw his motion, and that a select committee would be appointed.

Mr. Serjeant *Onslow*, in consequence of the opinions expressed by many gentlemen, who thought with him upon this subject, deemed it expedient to withdraw his motion, intimating at the same time, that he would bring it forward at a future period, when it was likely to be received with greater unanimity. He hoped the chancellor of the exchequer would likewise withdraw his motion for the previous question.

The Chancellor of the exchequer having signified his consent, Mr. Serjeant Onslow, with the permission of the House, withdrew his motion.

PERSECUTION OF THE PROTESTANTS OF FRANCE.] Sir *Samuel Romilly* rose to call the attention of the House to a subject which had made a considerable impression out of doors, although it had been but incidentally mentioned within those walls; and of which it would be extremely to be lamented if the session were allowed to pass without notice being taken. Every hon. gentleman who heard him must know that in the course of last autumn reports reached this country of extreme acts of violence committed in the southern departments of France. These reports made a deep impression in this country; meetings were held, resolutions were adopted, and a subscription for the relief of the sufferers was entered into, with that generosity which ever characterised the British public, when they saw occasion for their benevolent interposition. On a sudden, however, an extraordinary turn was given to the popular feeling. Although the meetings which he had described had not taken place without a previous communication with his majesty's ministers, yet the latter subsequently affected to think them improper, and evinced a disposition, which he was sorry to say proved succesful, to damp the ardour of the public mind on the subject. A letter was written by the duke of Wellington * denying the truth of the statements which had been made, and expressive of his grace's conviction of the sentiments of the king of France towards the Protestants, and of his disposition to extend towards them his royal protection. The effect of this letter was very great; and in alluding to it in that House, a noble lord had taunted those who had previously mentioned the subject, and had expressed his hope that it would be a lesson to them not to take up a similar question on such light grounds. The city of London, too, having thought proper to present an Address to the Prince Regent on the occasion, were received very graciously by his royal highness, but were given to understand that although his royal highness was perfectly disposed to interpose his good offices in favour of the Protestants on a proper occasion, that that was not a time in which his interference was at all called for.

In bringing forward this question at the present moment, he had no intention to accuse his majesty's ministers of criminality. He could not think so ill of them as to believe that if they knew what had really taken place, or in what manner the French government had conducted itself, they would, because they were desirous to support a government to which they wished well, have misrepresented the facts. All that he complained of was, that they had been too credulous, and that they had listened with too little suspicion to the assurances of the French government on the subject. To the consideration of this question he brought no party feeling. It became him to state fairly, and without exaggeration, the facts which, after much anxious inquiry both by letter and in person, had come to his knowledge with respect to it. He might be mistaken. He might have been misinformed. He should be extremely glad to have it proved to him that the alleged crimes had not been committed. But after having taken the utmost pains in the investigation no doubt remained in his mind on the subject. Much had been said of the injury which the French Protestants might sustain from the interference in their behalf of the British public. That the denial on the part of the British authorities of the

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* The following is a Copy of the duke of Wellington's Letter. It was addressed to Mr. T. Wilks and Mr. T. Pellat, Secretaries to the Protestant Society for Protection of Religious Liberty :—

"Gentlemen; I have had the honour of receiving your letter of the 24th inst., and I take the earliest opportunity of replying to it.

"I have every reason to believe that the existence of the alleged outrages had done the Protestants much harm he well knew. The duke of Wellington's letter had been printed at Nismes, and scattered about that town with great activity by the Catholics. It had filled the Protestants with the utmost consternation, taking, as it did, from the oppressors the only restraint to which they had until that period been subject, and from the oppressed their last hope and consolation. So far was the previous expression of British opinion from injuring the Protestants, that as nothing was better calculated to produce that effect, so nothing did afford them so much real relief as that expression.

There were three questions for the House to consider: 1st, whether the alleged outrages had really been committed? 2dly, whether they had proceeded from political or from religious causes? 3dly, whether the French government had afforded any protection to their Protestant subjects? It would be impossible to give the House an adequate idea of the character of the transactions which had taken place in the department of the Gard, the chief seat of the persecution of the Protestants (for no general persecution had occurred, nor had any disposition been evinced towards it), without in the first place putting them in possession of the condition of that part of France at the time of the restoration of the present king. The department of the Gard and its neighbourhood were the parts of France, or rather of Europe, in which the doctrines of the reformed religion were first disseminated. The inhabitants of the mountains of Cevennes, for a century before the time of Luther, were distinguished for the purity of their doctrine, and the innocence of their lives. They remained unmolested in the enjoyment of their religious opinions until soon after the Reformation, when a persecution of them commenced. This was towards the end of the reign of Francis 1st, when many villages in that department were destroyed, and the inhabitants, men, women, and children, put to death. There first appeared the bloody effects of that persecuting spirit which subsequently spread over France, and was exhibited in those various massacres so disgraceful to

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public, and the society of which you are the secretaries, have been misinformed regarding what is passing in the south of France.

"It is natural that there should be violent contests in a country in which the people are divided, not only by a difference of religion, but likewise by a difference of political opinion, and that while the religion of every individual is in general the sign of the political party to which he belongs, and at a moment of peculiar political interest, and of weakness in the government on account of the mutiny of the army, that the weaker party should suffer, and that much injustice and violence should be committed by individuals of the more numerous preponderating party. But as far as I have any knowledge, acquired during my stay at this court last year, and since the entry of the allies into Paris, the government have done every thing in their power to put an end to the disturbances which have prevailed in the south of France, and to protect all his majesty's subjects in conformity with his majesty's promise in his royal-charter, in the exercise of their religious duties, according to their several persuasions, and in the enjoyment of their several privileges, whatever may be their religious persuasions.

"In a recent instance, an officer, general La Garde, was sent down to Nismes, specially, by government, to inquire into the state of affairs in that country, and upon his first report he had orders to open the Protestant churches, which, in the course of the contest between the parties, had been closed. He was severely wounded when in the execution of these orders; and I have been informed by good authority, that his royal highness the Duc d'Angoulême has since marched at the head of a body of troops against those who had opposed themselves to the execution, by general La Garde, of the orders of the government.

"I inclose a copy of the king's ordonnance, issued in consequence of this event, which sufficiently shows the views and intentions of the government.

"I have further to inform you, that it is not true that the salaries of the Protestant ministers have been discontinued by the king of France.

"I trust, that what I have above stated, will convince the society of which you are the secretaries, that the king of France's government at least are not to blame on account of the unfortunate circumstances which have occurred in the south of France. I have the honour to be, &c.

(Signed) WELLINGTON."

the character of that nation. After this time, the Protestants in France enjoyed for a period perfect liberty. During that period they resorted in such numbers to Nismes, as to form nearly a majority of the inhabitants of that place. In 1685, however, the revocation of the edict of Nantes took place, through the superstition of Louis 14th, and the ambition of his minister Louvois. Then, too, those dragonades were invented, the mention of which must cause every one to shudder. Whole provinces were to be converted by regiments of dragoons, and the minister dared to represent to his king that he had effected an object most agreeable in the sight of God, and that all France contained nothing but Catholics, and no heretics. In those times Protestants were proceeded against, not as Protestants, but as heretics, or, as they were called, "Les nouveaux convertis." What was their condition till 1787, two years previous to the revolution? If any persons were found attending Protestant service, they were punished with the galleys for life. The minister was sentenced to death, and if any persons harboured him in their house, or facilitated his escape, they were condemned to the galleys for life. Such was the state of the laws respecting the Protestants up to that period. French legislators also said, that however severe in their enactments, they were mild in their administration. And what did they adduce as a proof of the leniency with which they were administered?—that in the period that elapsed between 1745 and 1770, only eight Protestant ministers had been hanged! The marriages of Protestants were declared illegal; their children were bastards, and the government might take them away to educate them in the Catholic religion. At seven years of age, a Protestant child was authorized to become a Catholic. In a particular instance, forty marriages had been annulled, the husbands sent to the galleys, and the wives to hospitals as common prostitutes. These laws remained in force till 1787, when Louis 16th softened them, desirous to make his subjects happy, and surrounded by ministers disposed to second his disposition. Among his papers had been found a memorial from his secretary of state, the baron de Breteuil, in favour of the Protestants, and letters from the celebrated M. de Malsherbes on the same subject; and their grievances, would, doubtless, have been removed by that unfortunate sovereign, had not his throne been overthrown by the torrent of the revolution, amidst his wishes to establish constitutional liberty. One of the first acts of the revolution was, to restore the Protestants to a perfect equality of privileges. They were declared admissible to all civil offices without distinction; and one of their ministers, Rabaut St. Etienne, was elected president of the national assembly. The Protestants, with the feelings natural to men, could not but applaud and admire a work by which they were raised, from being outcasts in society, and from a state of degradation and infamy, to that of citizens with equal rights. This, however, had been objected to them by some persons as matter of reproach; but he trusted he should be able to show, to the satisfaction of the House, that all that had been said of their being revolutionists and Buonapartists in a peculiar degree was perverted and misrepresented. He would assert, that in those scenes of horror which soon disgraced the progress of the revolution, not one Protestant was found to be an actor. Of course he must here be supposed to speak generally, as far as his information extended. He acknowledged, indeed, that some of them who were members of the convention voted for the death of the king, but all of them with the addition of the *appel au peuple*, which, if not displaying due firmness, at least discovered their wish to save the monarch. There was not one Protestant a member of the revolutionary tribunal of the department of the Gard; and of the 130 persons who were guillotined by its orders at Nismes, more than 100 were Protestants, though the Protestants formed only about one-third of the population. The population of the department of the Gard consisted of 320,000 souls, of whom 100,000 were Protestants. At Nismes, the proportion was still higher. The whole population of that city was 40,000 souls, and the Catholics amounted to 25,000, and the Protestants to 15,000. They were all on the side of moderation and of justice. He did not speak this invidiously, but as was usual in a sect which formed the minority, many of whom were opulent, greater regularity of conduct and correctness of morals were generally found to prevail. The Protestants being thus restored to the rank of citizens, all religious animosities seemed to subside in the south of France. In 1802, Buonaparté, being then first consul, procured the enactment of a law which placed their religion precisely on the same footing with the Catholic faith in point of establishment and privilege. Could it be matter of reproach to them that they were grateful for this favour. It was not possible but that they must have felt attachment to him for it. Hence, however, it was deemed proper by some that they should be stigmatised as Buonapartists. There was no foundation for the assertion that any partiality was shown to them by Buonaparté. There was not one Protestant prefect or commandant of department appointed by him; none of them filled the tribunals of justice; and probably one reason of this might be, that before the revolution they were not allowed to follow the profession of the law. It was not improbable, however, that the circumstance of the Protestants being thus placed on a level with their former masters might excite a rankling jealousy in the latter, which would break out on the first convenient opportunity.

This was the state of things when, in April 1814, Louis 18th was restored. At that period Buonaparté had become as odious at Nismes as every where else in France The people were worn down by the taxes and the conscription. In the department of the Gard this was more severely felt, for although the population was not so great, the property was extensive; and he believed, notwithstanding all that had been said on the subject, that at the time of the restoration of Louis 18th, the joy manifested at Nismes was great and unanimous. The Protestants expressed their satisfaction with as much ardour and sincerity as the Catholics. Unfortunately, in the course of the ten months which elapsed before the occurrence of that unhappy event which filled Europe with alarm, a considerable change of opinion took place in the Protestant mind. There had returned to Nismes in that interval persons who had long been absent from that place, and who entertained a great jealousy of the Protestants. By the interference of those persons a tendency was exhibited to return to the old system. The Protestants were insulted in the streets by the populace; songs were sung in ridicule of them; the massacre of St. Bartholomew's day was adverted to, and the agitators expressed the satisfaction which they should soon feel in washing their hands in Protestant blood; the Protestants were threatened with extermination; they were told that there should be but one religion; gibbets were drawn on their doors. This was the situation of things when in March 1815 Buonaparté suddenly re-appeared in the south of France. On this occasion the Protestants expressed the same zeal and determination as the Catholic subjects of Louis. A declaration was issued at Nismes on the 13th of March, signed by the municipal body, and the most distinguished inhabitants, among whom were the Protestant ministers, and a great majority of Protestants, expressive of warm attachment to the king. Soon after this the duke d'Angoulême appeared among them. It had been alleged as an offence aginst the Protestants, that they had not joined the duke's army, as it was expected they would do. It was true, they had not done so; and it was not surprising that they should not be very zealous on the subject, when the treatment which they had experienced during the short reign of Louis was recollected.

On the 3rd of April, the authority of Buonaparté was proclaimed at Nismes; on the 15th of July, that of Louis 18th was re-established. It had been represented, during the reign of Buonaparté, from the 3rd of April to the 15th of July, that acts of the greatest violence had been committed by the Protestants towards the Catholics; and every thing that took place subsequently, had been represented to be mere acts of retaliation and revenge. The fact was however that no such acts of violence had been committed by the Protestants. Of this he had been assured on the best authority. During that period the town had been under the command of a Catholic, general Gilly. After the 15th of July, many of the royalists from the duke d'Angoulême's army, and from various adjoining places, flocked to Nismes; the garrison, consisting of two hundred men, laid down their arms, but, shocking to relate, were, with a few exceptions, killed in cold blood. Now commenced the persecution of the Protestants; their houses were pulled down, their furniture was burnt, the rich were laid under severe contribution, and the lower orders exposed to the utmost cruelties. The greater part of these unfortunate people were manufacturers. Their persecutors destroyed their looms and all their implements of industry, knowing that by such a proceeding they would totally deprive them of all means of subsistence.

Houses and manufactories were totally destroyed, vineyards laid waste, and the vines torn up by the roots. Many females were exposed in the streets to every species of insult—one woman in particular, who was scourged in a most brutal manner, was known to be far advanced in pregnancy. The instruments which were used in this torture were not of the ordinary kind, small pieces of iron and small nails were fastened to the scourges by which these people were torn. He would not detain the House by going into all the horrid particulars of these dreadful scenes. Thirty women had been scourged, eight or nine of whom died in consequence. The statement which he had before made on this subject had surprised some persons who heard it; but from every thing which had since come to his knowledge, he was confirmed in that statement. He was certain that he should be within the real numbers when he asserted that in those dreadful scenes two hundred persons had been murdered, and nearly two thousand men had been persecuted in their persons and property; two hundred and fifty houses had been destroyed, and some of these outrages were attended with circumstances so horrid that it would appear almost incredible that they should be suffered to pass with impunity in any civilised country. An old unmarried man, aged sixty, named Lafond, lived in a very retired manner; he had neither the inclination nor the ability to engage in political plots or discussions. His only crimes were, that he professed the reformed religion, and was possessed of a few hundred pounds. They singled him out as one of the first victims. Trestaillon accompanied by other ruffians went to his house, forced open the street door, and went up to his apartment, which was on an upper floor. They demanded the instant surrender of his money, and threatened him with immediate death on his refusing to become a Catholic. He offered them all the money he had in the house, if they would not murder him. To this they pretended to agree; but when they had obtained their booty, regardless of his cries and entreaties, they dragged him by his white locks to the landing place, and precipitated him from the top of the balustrade. They thought he was dead, and left him; but returning soon after and finding him only stunned and much wounded, they brought him to his door, and there amidst the acclamations of the populace, literally cut him into pieces with axes and broad-swords. Eight persons of the same family, named Le Blanc, lived in the same house. Seven of these were murdered by Trestaillon and his associates. Two of them, who made some resistance, they brought out in the street and cut to pieces on the threshold of their own habitation. The others they strangled. Five persons of the family of Chivas were immolated. One of these had been for some time confined in his room through sickness. Trestaillon went to his lodging, and finding his wife on the stair-case, asked for her husband. She shuddered at the sight of the murderer of her brethren, and hesitated what to answer. He saw her alarmed, and told her she need fear nothing, that he intended no harm. As he appeared without arms, she suffered him to enter the room of her husband, knowing that resistance would only irritate him. He found André Chivas in bed, and approaching his bed-side, asked him, in Provençal, how he did? He was answered, 'very poorly.' He then inquired, how long he had been ill; what medical man attended him; what medicines had been administered? All this with an appearance of being much interested in his welfare. The sick man felt no alarm, as, for fear of agitating him too much, his family had not apprized him of the death of his brethren. Trestaillon then took him by the hand and said, 'they have not treated your disease properly, I am the better doctor, and will cure you immediately.' On this he pulled out a pistol from his pocket, and holding it to the head of Chivas, blew out his brains in the presence of his wife, who has since shared the same fate.

Having mentioned the name of this monster Trestaillon, he could not but remark to the House, that he had never been brought to punishment [Hear, hear!]. He had been twice in custody; once he had been released. He did not know whether he was still in custody, but this he knew, that he had not since been brought to justice. This wretch as it was reported, frequently boasted in public of the horrid outrages he had committed. He was a member of the Urban Guard, which it was to be observed was composed solely of Catholics, they (the Urban Guard) having resolved that no Protestant should be enrolled with them. It was also worthy of notice, that by a subsequent decree arms were ordered to be taken from those who did not belong to the National Guard, by which the Protestants were left defenceless, and exposed to all the attacks of their enemies. It was with these facilities that many of the unfortunate persons who were left attending on their friends, were subjected to every species of abuse and insult. One man, whose house had been entered into, had it burnt, and the body of his daughter, who had died a short time before, was dug up and thrown into the flames. Barbarous instances of this kind were too numerous to mention in detail to the House.

It was to be recollected, that these murders and atrocities were not perpetrated on men taken in arms—they were committed in cold blood. It was not only necessary to see this, but it was necessary to inquire into the steps taken by the French government to suppress or punish these outrages. In July 1815, Calvieres was prefect of the Gard, and he was succeeded by the marquis d'Arbaud de Jouques, who is still the prefect of that department. Immediately after his appointment, he published a proclamation, condemning, in strong terms, the violent outrages which had been committed. This gave offence to the enraged multitude, and the marquis d'Arbaud de Jouques was every where received with marks of popular disapprobation. The people demanded and obtained the release of their Barrabas, Trestaillon. The marquis d'Arbaud Jouques went to the duke d'Angoulême, and on his return, he became more mild in his measures, and was, of course, more a favourite with the people. He discontinued his severe proclamations, and still holds his situation as prefect. He (sir Samuel Romilly) should read for the House extracts of proclamations which had been published in Nismes, and he should ask whether they would show, that which had been mentioned in the letter of the duke of Wellington—that the French government had taken every step to put an end to these outrages. It was known that on the 21st of August the electoral college was to meet. For a long time previous to this the outrages against the Protestants had been going on. It would be seen from a paper, which he held in his hand, Le Journal Officiel du Gard, it was a weekly paper, dated the 26th of August, but contained the official accounts of what had passed from the 20th, that was of the steps which had been taken to secure the tranquillity of the city. On the night of the 19th, several murders had been committed. It would be seen what precautions had been taken against these scenes by the mayor, who in his proclamation, preparing for the feast of St. Louis, gave strict orders that the streets should be cleaned at a certain hour, that no squibs or rockets should be thrown, for that on him devolved the keeping the peace of the city. If the police were good for any thing, they should have been used to the preservation of the peace, but this was the manner in which the mayor thought fit to employ them. It might be necessary to see what troops were stationed at Nismes at the time these transactions were passing, in order to show the power which the mayor and prefect had of suppressing them. This would be learned from the paper to which he had just alluded, from which it appeared that there were, on the 20th of August, twenty-four troops of infantry and a regiment of cavalry, in a very efficient state as to arms and discipline. Yet with this force to check disturbance, the horrid atrocities of the 20th were committed. There was another proclamation of the prefect after these murders had been perpetrated, and the House would be surprised at the manner in which the outrages had been viewed. The prefect said in this proclamation, that he had on a former occasion addressed the people, but since then he learned that several outrages had been committed; and he added, "last night many murders were committed." The proclamation was dated the 21st. It went on to state, that strict orders had been given to the troops to be on the alert to suppress such proceedings, but at the same time it ascribed those which had been committed to the machinations of unknown agitators, who had caused the people to abuse their great love for the king. What would the House think of an English magistrate, who, in his attempt to suppress such outrages as those he had described, should tell the people, who were guilty of most barbarous murders, that they had been deluded by their great love for the king? Such magistrates and such conduct would be deservedly treated with indignation. But the prefect told those unknown agitators to tremble at the consequences of their actions. Why did he not offer rewards for the apprehension of the murderers? No—but he told them to tremble—to tremble at the eloquence of the prefect [Hear, hear!]. The prefect also, as if to palliate the crimes which he condemned, mentioned that similar crimes had been committed by those who favoured the usurper before the restoration of the king, and he added, "Do you also tremble who were guilty of similar excesses during the short existence of that power which had been blasted by Heaven, and detested by men" [Hear, hear!]. These were the means which had been resorted to, in order to put a stop to crimes which required the most active exertions to check and punish; and when these were viewed dispassionately, it could not be denied that they tended rather to inflame than suppress popular commotion. It might be worth mentioning, that M. Trinquelague, a lawyer, who was chosen one of the deputies to the legislature, and lately appointed secretary-general to the minister of justice, was the person who, after the first restoration, proposed that a silver child should be dedicated to the Virgin, in the event of the pregnancy of the duchess d'Angoulême.

The national guard, who it was to be recollected, were all Catholics, continued at Nismes until the 24th of August; during this time, the murders of the Protestants continued, nor was tranquillity restored until the Austrian troops entered the place. While they remained all was tranquil, when they departed, murders of the Protestants were again committed. After the national guard had quitted Nismes, they were removed to the mountains of the Cevennes, where, under pretence of suppressing treasonable conspiracies against the government, they exercised great cruelties on the unoffending mountaineers, by which several lost their lives. The Austrians at length arrived, and they were all disarmed. The Austrian troops which entered Nismes on the 24th August, remained there until the 15th of October; when they departed, fresh murders were committed on the 16th. Though Trestaillon had been arrested and sent out of the department, yet there were found others who wishing to emulate that monster in his crimes, imitated his actions. Amongst others there was one who assumed the name of Quatretaillon, who signalized himself by his cruel atrocities. This man had been arrested by general La Garde, and sent off to Marseilles, but he had never been punished, at least his punishment was never heard of, and it was to be presumed, that if he had been punished, it would not have been kept a secret. He had been suffered to pass with impunity, though there were hundreds who had been witnesses to his crimes. In fact, not one of the many who had been implicated in these outrages had suffered. Another proclamation was published by the prefect about the latter end of August, from which it would seem that he rather wished to excuse what had passed than to condemn it in severe terms. He seemed rather to think that the scenes of outrage had continued long, than to deprecate their first existence. He says, that in the first moments, after the restoration, their indignation against those who had been marked out by public opinion, was too inconsiderate not to be excused, "trop irreflechi pour n'être pas excusable." He remarks that several houses had been destroyed, but he congratulates himself that the outrages had not been distinguished by a spirit of robbery:—"Le fureur populaire n'étoit pas avili par l'ésprit de brigandage." [Hear, hear!]. After this the prefect published an order, that all those whom the fear of persecution had driven from Nismes should return, and they should be protected from further molestation. Many of them did so, relying on the promise held out to them; and even after this, several murders were committed. When, in November, the Protestant churches were re-opened, the popular indignation was again raised. The churches were attacked, and though no lives were lost, the populace triumphed, and the churches were closed. He should next read for the House the proclamation by the king; and here he could not but regret, that his majesty had not taken some decisive steps at a much earlier period. But no: the terrible scenes of the 20th of August had been passed over unnoticed, and it was not till November that this proclamation appeared. Here sir Samuel read the proclamation of the king which was published in November; and he observed, that though it condemned the outrages which had taken place, it was evidently tinged with a spirit not quite calculated to allay the hostile feeling towards the Protestants. It noticed the attacks which had been made on some of the troops under the command of the duke d'Angoulême, but observed that the punishment of such crimes should be national.—Sir Samuel then observed, that it was with difficulty the Protestants could make their grievances known. He himself had found it difficult to procure correct information on the subject, and this difficulty had been created by the French government, which had proscribed the publication of any thing which could make those grievances known. A work on that subject had been published in Paris, but it was immediately suppressed by the police. No paragraph which could make those grievances known was allowed to be inserted in any of the French papers. He himself was present, and he believed there were some members then in the House, who were also present in the chamber of deputies in Paris, during the discussion of the law for securing the liberty of the subject. On that occasion, M. d'Argenson, in the course of his speech mentioned the sufferings of the Protestants in the South, when several members rose, and in a tumultuous manner, called him to order. And yet, not six days previously to this, the streets of Nismes were streaming with the blood of murdered Protestants. Not long before this, the king's general had been wounded nearly to death in his endeavours to protect those Protestants from outrage. But with all these glaring facts, a member had been called to order for even mentioning these circumstances in his place in the chamber of deputies. He did not mean to say that a great deal of reports about the persecution of the Protestants had been exaggerated; but in what he had stated there was no exaggeration. He rather suppressed much of what he knew, than gave the full detail of what had come to his knowledge. But he still should observe, that the Catholics had every opportunity of giving publicity to their statements, while the suffering Protestant was constantly deprived of that advantage. Sir Samuel was observing that an hon. member, who just then entered the House, was with him in the chamber of deputies when the circumstance to which he had alluded took place, when he was called to order by

Sir *Gerard Noel*, who observed, that it seemed to him, that the House would act very unwisely, if they should allow the hon. and learned gentleman to proceed with these details. He had been admitted into the chamber of deputies by courtesy, as an English gentleman on his travels; and he had no right to make use of what he then heard for the purpose of grounding an inquiry in the English House of Commons. It would be a great breach of confidence in the hon. and learned gentleman, and was derogatory to the high character and dignity of the House. [A laugh, and loud calls to sir Samuel Romilly to proceed].

Sir *Samuel Romilly* said, he could easily remove all embarrassment from the mind of the hon. baronet with respect to being guilty of any breach of confidence, as he was only stating what the French government itself had permitted to be published in all the newspapers on the following day. He repeated, that there was no hesitation whatever on the part of that government in publishing every thing against the Protestants. As a further proof of this he should mention, that a sort of answer to the proclamation of the king, which noticed the disturbances in the south, had been published in a Paris paper, the Quotidienne, by the four deputies of the Gard. In this answer they stated that the disturbances to which the proclamation of the king had referred, were nothing more than the inconsiderate intemperance of a few old women and children. Thus it was, that the complaints of the Protestants were frittered away, while they had no opportunities of making any reply. As he had mentioned the law on the liberty of the subject in France, he could not but observe that it was by no means a dead letter, for that nearly 19,000 persons had been imprisoned by its operation. Sir Samuel then read part of a proclamation which had been published at Nismes, shortly after the assassination of general La Garde. In this proclamation, it was declared that the laws had been enforced on those who disturbed the public tranquillity, and that they would continue to be maintained. It then went on to notice the attempt on general La Garde, and after stating that he must be known to the inhabitants, it offered a reward of 3,000 francs for his apprehension, but it neither named nor described him, though it was impossible that his name could be unknown at the time. It was then, as it had been since, a matter of public notoriety. He next noticed the proclamation of the king, which condemned the outrages committed, but ordered no active measures to prevent their recurrence. It did indeed order that all who did not belong to the national guard should be disarmed; but that was only leaving the Protestants more exposed to the mercy of their enemies, as no Protestant was allowed to belong to the national guard, and of course every one of them should be disarmed according to the proclamation, Another proclamation was published in December, at Nismes. It was from the prefect, and announced that on the following Thursday the Protestant churches would be re-opened. It also stated, with satisfaction, that the Protestants would in a short time give up those churches, which had originally belonged to the Roman Catholics, and that they (the Protestants) would have churches built for them outside the city. By this very proclamation the prejudice of the people against the Catholics must have been heightened, as they saw that the Protestants were not deemed worthy to have churches inside the city. The proclamation expressed a hope that the city of Nismes would not in future be degraded in the eyes of Europe by the blind infatuation of women and children; thereby implying a belief, that the outrages which had been committed were only the work of women and children. On the 10th of January the king published another proclamation, in which it was observed that the former proclamation had met with that submission which he had a right to expect. But what was the submission? Had any of the murderers been punished? Not one: and yet it was stated that the former proclamation had met with submission, when one thing which it commanded was, the punishment of the murderers. In this proclamation the king commands the prefect to thank the national guard, and the inhabitants of Nismes, for their adherence to his former one, when it was a known fact, that subsequently to that proclamation, several Protestants had been murdered at Nismes.

The honourable and learned gentleman said, he believed that no crimes of a more atrocious nature had been committed since December last. He had, however, been informed, by a gentleman lately returned from Nismes, that he saw Protestants in the month of March last driven from the public walks. Protestants were still sentenced to long imprisonments, sometimes even for life, to whom no other crimes were imputed than singing seditious songs, or making use of seditious expressions. If any person came forward, and said that he heard a Protestant use such and such words, the Protestant was immediately thrown into prison. There was a case in which two persons were accused of singing an improper song, and assaulting a waiter. One of them was condemned to imprisonment for life, and another was sentenced to imprisonment for ten years. It exhibited a strange idea of justice, that all the crimes and atrocities which had been committed in the department of the Gard should pass unpunished, and that crimes of so trivial a nature should be uniformly visited with such severity. It was impossible for him to say on what evidence these convictions took place; but it was hardly to be supposed that the persons who did not scruple to commit the most dreadful acts of violence would be very scrupulous as to the evidence they gave against the Protestants. It certainly presented to us a strange picture of justice, that all those things had taken place, and yet that no one person had ever been brought to justice [Hear, hear!]. The perpetrators of the atrocious crimes had again been let loose on the persons who had already suffered so severely from them. He was not now inclined to move an immediate address to the Crown, calling on government to interfere on this subject. He was desirous of first knowing what had taken place between his majesty's ministers and the government of France respecting the excesses committed against the Protestants. He should move, therefore, that an address be presented to his royal highness the Prince Regent, praying that directions be given to his majesty's ministers, to lay before the House copies or extracts of all communications which had passed between his majesty's government and the government of France relative to the Protestants in the south of France. He made this motion in no spirit of hostility to his majesty's ministers. He was glad to afford an opportunity to the noble secretary of state to give to the House more detailed information, and from more authentic sources than he could be supposed to possess. He had purposely avoided entering into details on this subject. He could give a long list of names of Protestants murdered at Nismes, to not one of whom could be imputed that he had taken part with Buonaparté. It was incumbent on those ministers, who, with the duke of Wellington, said that the French government had taken all the measures in their power to prevent the atrocities, and to extend protection to all classes of their subjects, to show that this had been the case. If precedents were necessary now to justify the line of conduct which he wished the House to adopt, he needed to bring forward no other than that recent one which had reflected such honour on them—he meant that strong expression of their feelings with respect to their fellow-creatures on the coast of Africa; for he could not think that they had stronger claims on us than our fellow-creatures of the south of France. The interference on that recent occasion would even serve to justify us at present, if France were indifferent to us: but such was not the case. We had taken a great part in the restoration of the Bourbons. If the Protestants were disarmed, we had assisted in disarming them. At the moment when these bloody scenes were acting in Languedoc, three Protestant armies might be said to occupy France. His most christian majesty could not then look from the windows of his palace, without seeing guns pointed against it, and matches ready to fire them off, if necessary. This was the state of France at the time when all these bloody transactions were taking place. Our responsibility called upon us, if we had not at the moment interposed our good offices, to do so now. For what was the situation in which they stood at this moment? The House well knew, that many parts of France were now in a state of trouble and disorder. Who could say, if the fears of those who called themselves the loyalists, should be excited, what might be the situation of the Protestant inhabitants of Nismes, who were doomed to be jostled as they walked along the streets by the murderers of their wives, their children, or their parents; threatening them with their looks, and exulting in their former successful villany? And what sort of blame would fall on us, having this responsibility, if we should not ask protection for these unfortunate people?—Sir Samuel concluded with moving,

"That an humble Address be presented to his royal highness the Prince Regent, that he would be graciously pleased to give directions that there be laid before this House, copies or extracts of all communications which have passed between his majesty's government and the government of France relative to the Protestants in the southern departments of that kingdom."

Lord *Castlereagh* said, it was with great pain that he had listened to the speech of the hon. and learned gentleman. As far as he had any knowledge of the transactions which were the subject of that speech, he had no hesitation in saying that the picture was exaggerated and unfairly coloured, and more likely to create a feeling of resentment between those of the two religions, both in this country and in France, than to do service to those whose cause had been espoused. The hon. and learned gentleman had placed him in a most embarrassing and invidious situation. He had laid before the House a statement of local excesses, given with as much detail as if the whole proceedings were under the cognizance of a local tribunal. Even if we had the means of arriving at the truth of this melancholy tale—for it was melancholy on both sides—we had not the means of applying a remedy. He must enter his protest against the false policy which the hon. and learned gentleman was inviting this country to adopt. He ventured to predict, that if this country should be prevailed on to embark in a system of interference in the affairs of other countries, and more especially to interfere in matters of religious and local controversy, they would revive in Europe the illiberal spirit of the centuries gone by, and open an inexhaustible source of calamities to the world. In his opinion the hon. and learned gentleman had most unwisely and injudiciously dwelt that night on the transactions in the south of France, as if his object had been to rouse all the passions of the followers of the two religions. The hon. and learned gentleman had said he did not charge his majesty's government with entertaining themselves sentiments of intolerance, or unbecoming men living under a free government; but he trusted, that although they would not lose sight of sentiments of toleration, they would not so far forget themselves, as to imagine they could discharge the duties of ministers of foreign states, and execute functions which were quite foreign to their situations. The hon. and learned gentleman, in the first part of his speech, had stated that the public mind had been arrested in the work of benevolence by the misrepresentations of his majesty's government, or those acting under them. His majesty's ministers had not indeed been disposed to encourage the proceedings of certain bodies in this country, because they were of opinion that these bodies, however well disposed, were hurrying themselves into a policy which was likely to do more harm than good to the cause they espoused. He knew it was impossible to discourage in such a manner as to stop the efforts of individual benevolence; but ministers would have lost sight of their duty if they had encouraged them. He did not deny that there were periods when we had interfered with the internal affairs of other states, and when we very properly had interfered, but this was a question of prudence, and any man who looked at what the sentiments of toleration and general benevolence were now working in favour of religious moderation, would find that their progress was more likely to be arrested than forwarded by such an interference as that now proposed. There was a time when the protestant cause was maintained, not simply as a religious cause, but as a political one; but, thank God, that time was now gone by. He did not say that governments ought not to communicate with each other, and to offer suggestions on many subjects: but if one government were to say to another, "You do not appoint proper administrators, we will show you whom you ought to appoint for prefects, and in what manner you ought to administer your laws," any state would be displaying the utmost degree of debasement, if it suffered itself to be dictated to in this manner. The hon. and learned gentleman had himself stated, that this was not a systematical persecution—he had told them the evil was of a local nature—that it was confined to the department of the Gard, and a part of the neighbouring departments. He had told the House that the Protestants first owed their liberties to the unfortunate monarch, who owed, perhaps, the sacrifice of his life to his benevolence; for if he had displayed more severity, the world, in all probability, would not have had to deplore the scenes of calamity which afterwards happened. He should be doing injustice to his most christian majesty, if he did not state his conviction that the most serious desire was entertained by that monarch to put down the evil which disgraced a part of his kingdom. The miseries which they all deplored had not disgraced France generally, but a particular spot. Had not parts of our own empire been disgraced by the feuds of religious sects which all the vigour of our laws could not put down? This had been shown particularly in that part of the empire with which he was more immediately connected, where the sects were nearly balanced. In the county of Armagh, for nearly two years together, the sects were levying war on each other, and the arm of the law was not able to prevent the same description of violence which had taken place at Nismes. Did the House forget the riots which had disgraced this country? The state of things which had disgraced many of the provinces? And how should we have felt towards any foreign government making representations to his majesty's minister for foreign affairs, that the Catholics ought to be supported against the Protestants. Was that a language which we would tolerate [Hear, hear!]? The hon. and learned gentleman had admitted, that no atrocities had taken place since December last. Why would he, then, harrow up the feelings of this House and the country with tales of religious severity? He had exhibited but one side of the question. If the hon. and learned gentleman wished, instead of being the historian and colourist of the sufferings of one party, to hold the scales of justice between the parties, he ought to have collected the errors of both, and not flattered the one at the expense of the other.—He did not feel that he could, consistently with his duty, produce the information wished for by the hon. and learned gentleman, because he ought not to lay information before parliament, if parliament could not interfere; and because it was of the utmost consequence that parliament should be silent on this subject, if they wished to avoid disturbing the peace of the people of France and our own country. But he would not disguise from the House, that communications had passed between the two governments on this subject; and these communications had satisfied him, that his christian majesty possessed the most sincere desire to put a stop to the evil, and that no efforts had been wanting on his part. But if the hon. and learned gentleman supposed that the Catholics had not suffered in turn from the Protestants, he was most grievously mistaken. This was but one-half of the picture; there was no doubt that the situation of the Protestants, generally speaking, in France, previous to the revolution, was such as to give pain to every liberal mind; but the efforts in their favour had been commenced by Louis 16th, previous to the revolution. These were followed up with increased vigour in the earlier stages of the revolution. This he said without meaning to impute blame to them. They were a most enlightened part of the population, and their education was such as to lead them to be most valuable members of the society to which they belonged. But it was true, that without blame on their part, having acquired during the revolution a great extent of power, they were particularly taken up by Buonaparté, and became thus interested in the preservation of his authority. From their power they excited the jealousy of the other sect. And their conduct at a critical moment led them to the subsequent struggle. He had seen statements that buried in complete oblivion the conduct of the Protestants, giving out that there were no violences on the part of the Protestants against the Catholics. The hon. and learned gentleman had touched lightly on this subject; he had said there might be some acts of violence during the struggle between the two parties for power; but that when the authority of the one was established, they ceased. He would, in order that the House might have more correct information on this part of the subject, read to them a passage from a letter, which stated the events which took place between the re-entrance of Buonaparté and the return of the Bourbons. He believed the opinion given by the individual who wrote this letter was perfectly impartial. It was the opinion of an individual who had been throughout the whole of the disturbed districts, which opinion he was extremely anxious to receive, because he went into the country with his mind totally free and uninfluenced, and was in every respect qualified to inquire into the subject—Here the noble lord read a long passage from a letter, which gave an account of the relative situation of the Protestants and Catholics during the revolution—stated the Protestants as superior in wealth and knowledge, though inferior in numbers, and that they had succeeded then, and under Buonaparté, in procuring for themselves a majority of the public offices—that the return of the Bourbons had infused hopes into the Catholics of supplanting their more fortunate rivals—that during the ten months previous to the return of Buonaparté, no explosion had taken place—that, however, a strong jealousy subsisted between them, that when the followers of the duke d'Angouleme returned from his unsuccessful expedition in the south, two hundred of them fell victims to the fury of the Protestants, at least were destroyed in a Protestant part of the country, if not massacred by Protestants; that a corps of 10,000 Federes, during the power of the usurper, committed great excesses on the loyalists; that after the capitulation of Nismes a re-action took place, and the excesses of the Protestants and Federes were severely retaliated; that the persons who principally committed these excesses were of the lower order; that the rich Protestants suffered in their properties, and those who did not possess property paid the forfeit with their lives; that the excesses, however, had been greatly exaggerated; that he had travelled leisurely through the disturbed districts, and had been a fortnight at Nismes; that he could state with confidence that the number of lives lost in the department was under 1000, and in Nismes under 300. The letter continued to state, that "a body of Protestant peasantry had organised themselves, and threatened a descent upon Nismes, when the Austrian troops arrived. The most proper person to have repressed these disturbances was general Garde;" and here he remarked, that it was no sign of intolerance, or of systematic persecution in the government, that they had appointed general Garde, a Protestant, to command the troops employed to quell the disturbances. "The assassination of general Garde was to be looked on as a serious calamity." It was well known that the Protestants of the surrounding departments, except in one part which bordered on the Cevennes, had remained quite unconnected with the persecutions and disturbances. In the Lyonais, Dauphinais, and Provence, there had been no interruption of tranquillity; and in some parts of France the Protestants first heard of the persecutions in letters from the Protestant society in London [Hear, hear!]. These letters were more likely to propagate intolerance than to allay animosity, and it was really to be lamented that well-disposed persons should take on themselves to meddle in affairs which they did not understand. They had sent a respectable clergyman to inquire into the state of the Protestants, who, as he had visited the most disturbed parts, had brought back a highly-coloured picture and frightful narrations, which had been repeated by the hon. and learned gentleman. The letter stated that "in Montpelier, where the Protestants were numerous, there had been no disturbances; they were allied to the Catholic families, and formed a part of the national guard. In Lyons there were 6000 Protestants; they live in harmony with the Catholics, and one of the ministers of the reformed church is so much admired for his eloquence that his sermons are attended by many Catholics." Did this savour of a spirit of persecution either in the government or the people generally? "We cannot be surprised," said the letter, "that the king should be backward in placing authority in the hands of men who, but a few months before, had been the warmest adherents of the usurper; and the most respectable Protestants confess, that they and their brethren have nothing more to expect from the king than the protection of their persons and property, and freedom of religious worship. It was not to be expected, that in districts where the spirit of party ran high, the king should be able to find instruments quite untainted with that spirit; and this circumstance could not be imputed to his majesty as a crime. The writer of the letter then proceeded to state some general conclusions, from his own observation, and the information which he had received, and which he should read:—"1. The late disturbances in the department of the Gard were of a political as well as religious nature. 2. They were confined to that department, and the immediately bordering country which formed a part of the Cevennes. 3. That there was no likelihood that the disturbances would spread. 4. That the late unhappy excesses have been much exaggerated, and that some of the most atrocious acts which have been mentioned are untrue." He should remark, that if he had not been able to produce instances in which the guilty had forfeited their lives, the hon. and learned gentleman would not wish that the guilty on one side only should be punished; and he would also be aware that it might be extremely difficult to extend the operation of the law to the delinquents of all parties. "5. That Nismes and the department of the Gard were now perfectly tranquil, and had been so since the month of December. 6. That under the present government there is not a probability of the renewal of the disturbances, but at the same time, there cannot be a perfect harmony in the department unless there is a change in the official system." On this point the House would see that it was not for a British parliament to dictate to Louis 18th, as to the administration of the department du Gard. "7. All the Protestants in the south are convinced of the sincerity and energy of the duke of Angouleme's interference in their behalf." A postscript to the letter stated, "that since the writer had returned to Lyons, he had received complaints of persecution, occasioned by the circulation of the letter from the society in London." Thus it would be seen that a new schism had been created by this letter. The writer observed—"Previously to my leaving the department, I had observed that a strong feeling had been excited in the magistrates, and uneasiness among the Protestants, by its abrupt and ill-timed appearance. This letter has been most injurious, by exciting false hopes in the Protestants and jealousy in the magistrates, and many of the Protestants, though grateful for the motives which dictated, regretted its appearance." The noble lord proceeded to observe, that this was a picture of the unfortunate state of that country drawn under an honest and impartial feeling, and the House would see that there could not be traced any system of persecution of the Protestants in general, either personal or political. The disturbances were confined to a narrow district forty miles square, and in all other parts of France the Protestants enjoyed as much toleration as in England. It would be seen that any interference on the part of England would only create offence where none before existed. It was only by the moderation of the government that confidence would be restored to the afflicted department—not by blowing a local quarrel into a general controversy, and trumpeting casual acts of atrocity as a system of persecution, and a desire of going back to the bigotry of the ninth and tenth centuries. It was not by such colouring on one side of the picture that they could keep down intolerance or lull to sleep religious animosities. They would feel that all had been done which could be done by the French government. That government had no interest in keeping alive the disturbances, even though the king had been a cruel instead of a wise, amiable, gracious, and benevolent monarch. He denied that we stood in any such relation with respect to France as to authorize interference in its internal affairs. We exercised a degree of military superintendence in that country to support the triumph over the revolutionary order of things, in the conviction that the tranquillity of Europe depended on the stability of the French government; but he protested against any attempt to intermeddle with the administration of that kingdom. He hoped, and was indeed satisfied, that the motion was not dictated by enmity to Louis 18th: but the House would be aware that there were spirits abroad anxious to overturn the government of that monarch, because its existence placed their hopes of new revolutions at an immeasurable distance. This class of persons fastened on local disturbances to raise a hatred against the government of France. He was convinced there was no happiness for this country but in peace, nor of peace but in the tranquillity of France; and as the present government of that country was more benevolent than any likely to succeed it, he would cling to it on that account. It was not on the ground that the monarch was a Bourbon, but because that government was the keystone of concord in Europe, that he lamented that the people of this country should be rendered hostile to it by frauds practised on their virtuous and amiable nature. He acquitted the hon. and learned mover of any wish to increase this infatuation; but he could not acquit him of imprudence. He deplored that the hon. and learned gentleman had revived the memory of an evil which existed no longer, by his powerful eloquence; and he should not give this spirit of controversial inquiry any sanction or support.

Mr. *Brougham* said, that the tone of assertion and accusation on the part of the noble lord had excited some surprise, and for himself and for his hon. and learned friend he should disclaim two principles which the noble lord had imputed to the advocates of the motion. The first principle which he disclaimed was, hostility to the Bourbons; and he also disclaimed any idea of recommending a measure which was most alien to sound principles of policy in all times, and which in these times was most impolitic—a direct interference in the government of France, especially as to religious matters. And he would inform the noble lord, if he could be ignorant of it, that it was possible, without asserting the propriety of such a measure, to ask for information respecting the Protestants of France, and what steps had been taken in their behalf, and, if no steps had been taken, why? This was the whole amount of his hon. and learned friend's motion. That motion had been supported by a great mass of information—not only by the facts which his hon. and learned friend had adduced, but by the ample confirmation of all those painful details in the letter which had been read by the noble lord. That statement which had been read in so triumphant a tone, was to all appearance ably and candidly drawn up. But what was the impression it had made? Had not, at every sentence with which the noble lord interlarded his document, a new proof started forth of the accuracy of his hon. and learned friend's statement? So far was the letter from showing that his hon. and learned friend had exaggerated, that though it was in more general terms, it gave an idea of persecutions even more extensive than his hon. and learned friend had supposed. They were told by that letter, that one thousand murders had been perpetrated by the armed Catholics on the unarmed Protestants, besides a vast number of atrocities which it was too painful to relate or contemplate. The statement of the noble lord therefore exceeded that of his hon. and learned friend. The noble lord had next endeavoured to alarm the House by referring to a period not long past, when religious controversy had produced unhappy consequences in the county of Armagh; but did he mean to say, that even during the rebellion of 1798 and 1799 the outrages had equalled those of La Garde? [Lord Castlereagh said across the table that he did not refer to the date mentioned.] If the noble lord did not allude to the rebellion his argument was the weaker; for if not during the period of the rebellion, where could be found any thing like a parallel to the horrors of La Garde. Within the space of three months a thousand murders had committed. Where could similar atrocities be found in the history of almost any country? What had fallen from the noble lord regarding the ten thousand men who had oppressed a part of France by their adherence to Buonaparté did not at all apply, because at that period hostilities had not ceased. The motion did not require that this country should draw the sword in favour of the Protestants. Other means of redress were in our hands which might be used without any breach of amity. It was the duty of England to use them peacefully, and delicately, in proportion to the importance and delicacy of the subject. It was the duty of government to make such representations to the authorities in France as became the situation of that country, and the attitude we were entitled to assume. A renewal of hostilities would not necessarily be the consequence; on the contrary, in former times, when we had felt ourselves called upon to interpose in favour of those who were unjustly suffering, our sympathy had been frequently rewarded by the accomplishment of the desired object. The noble lord had frequently reverted to a favourite topic—the injury done to the cause of the Protestants by the humane interference of their brethren in this country, and the example of those benevolent persons was held up as a warning to the House. "Though your ancestors have frequently interposed with effect, you must not think of endeavouring to rescue these unhappy people from destruction," said the noble lord; and what was the reason assigned? "I admit," added his lordship that their persecutors inflict upon them inhuman cruelties; that they are tortured, that they are murdered; that in three months one thousand murders have been perpetrated, and not one offender executed or even brought to trial, but you must not interfere, because the generous sympathy of the people of England will only draw down upon the Protestants of France new calamities." Such was the argument of the noble lord; and he had heard it with the more regret, because it was not the last time it would be employed. The subject of the slave trade was shortly to be brought before the House—another attempt would be made to ameliorate the condition of those with whom we had in common neither manners, language, religion, nor complexion; but what would be the answer of the noble lord to such a proposition? He had given a foretaste of it that night. "Do not interfere" he would say—"do not endeavour to promote the happiness of the slaves; it is true they are now whipped with scourges, but if you interpose they will be flogged with scorpions." Such an argument would not impose upon the understanding of parliament. The noble lord had stated, that he was no friend to peace who diminished the stability of the present government of France. It was true that conflicting opinions had been entertained as to the propriety of our interference in the establishment of the Bourbons, but both parties might now join sincerely in the prayer that that family might not be disturbed. That it should continue on the throne of France presenting a firm front to its enemies, and a benevolent countenance to its friends must be the nearest aad dearest wish of every man who rejoiced in the happiness of France, and in the tranquillity of Europe; but he was at a loss to imagine how this government was prevented from remonstrating on the subject of the Protestants, at a time when we had an army in France, and a general with powers little less than sovereign. He trusted that the present discussion would operate as a spur to those who had authority in our neighbour kingdom; at least it would show, that there were a few persons in Great Britain who felt the ancient sympathy of their forefathers, and who felt equal pity for the persecuted, and indignation at the authors of their calamities.

Lord *Binning* said, the hon. and learned gentleman had imputed to his noble friend that he had attributed to the hon. and learned mover, and those who acted with him, a wish to disturb the present government of France. He begged to remind the House, that the noble lord had positively disclaimed any such intention. Lord Binning then proceeded to show, that the outrages recently committed were not confined to the persecution of the Protestants, as two hundred Catholics had been murdered in the Protestant villages. It was argued, that we ought to avail ourselves of our present situation with respect to France, effectually to interfere in behalf of the Protestants. He would say that the circumstance of our having the duke of Wellington and a large army in France ought, in policy and in good feeling, to be rather an argument against than for any interference on the part of this country. All the Protestants of France, with the exception of those in the department of the Gard, were perfectly tranquil. They desired no interference on our part. If we interfered, our interference might lead to an appeal to the sword; and was this that which the learned gentleman was prepared to support? He was glad the noble lord had opposed the motion as he had done, and he trusted it would be rejected by the House.

Mr. *W. Smith* supported the motion. From the best information he had been able to obtain, those by whom the Catholics said to have been massacred by Protestants, had been put to death, were headed by a Catholic. It was admitted that many Protestants had been murdered by Catholics, and he was therefore decidedly of opinion that that interference which the motion called for was necessary and he did not see that there was any probability of such interference leading to an appeal to the sword.

Sir *S. Romilly* rose to reply, and commenced by stating that a most unwarrantable charge had been preferred against him by the noble secretary of state, which was seconded in some degree by the noble lord who had just spoken. But with respect to the noble secretary, he was not conscious of having ever done or said any thing to give the noble lord personal offence, or to provoke such aspersions upon his motives and actions as, to his knowledge, had never been applied to any individual in that House. Why, then, should the noble lord feel disposed to offer him such deliberate, designed injustice? [A cry of Order!] The hon. and learned gentleman said that he was not aware of any departure from order, nor had he any inclination to offend the noble lord, but he felt that he had a right to complain when such an imputation was cast upon his conduct, as that it had a tendency to inflame religious animosities, not only in France, but in this country. Such an imputation he would venture to say, was totally undeserved, and that no man would more strongly deprecate a consequence so baneful, as that of creating any description of religious animosity. Therefore, he protested against the gross injustice of the accusation. But he had also been accused of exaggeration and high colouring, and of desiring this country to interfere with the proceedings of the French government. The fallacy of the latter charge was obvious from the words of his motion, which did not call for interference, but for an account of any interference that had already taken place. It was confessed on the other side, that our government had interfered, and his motion only desired to obtain some account of the nature of that interference. But after such an acknowledgment, it was strange to hear the danger of any interference deprecated by the very persons who avowed that interference. He never proposed or wished that our government should interfere by any other means than those of good offices, or recommendations, and therefore the observations as to the use of any force, were totally inapplicable to any thing that he had offered. It was impossible, he presumed, that he or any man of common sense could be supposed to advise any plan of interference inconsistent with the amity subsisting between the two governments. Now, with respect to the charge of exaggeration, he could not feel that it was in any degree correct. For no statement that he had made was, in any respect, contradicted. On the contrary, the whole of his statements were confirmed by the letter which the noble secretary had read to the House. But the noble lord had, he perceived a printed report before him, which presented still more shocking details than any which he (Sir Samuel had quoted. How, then could he be accused of exaggeration or high colouring? He had stated that a Protestant, had been shot in his bed. Was not this an undoubted fact? and was there any high colouring in the statement of it? Could he then state it milder than in the style of simple narrative? But if any one doubted his statements, he must also doubt the substance of the letter read by the noble secretary. It had, however, been said, that two hundred stragglers who followed the fortune of the duke d'Angouleme, were massacred by the Protestants; and it was added, that it mattered not whether these victims were Catholics or not, because the massacre was calculated to excite a spirit of retaliation. This observation might have some force, as applied to the deluded people; but what was the responsibility of the government, which to this hour had taken no measures to correct an erroneous impression, which allowed the people to remain in ignorance as to the real character of the victims, and thus allowed a religious persecution to prevail, and permitted it to become a popular belief, that those who suffered were not Protestants, because, truly, Protestants and Buonapartists were synonymous? This, however, was a most erroneous conclusion, and was in no degree warranted by the conduct of the Protestants. But it was said, that religious persecution had taken place only in the department of the Gard. This, however, was not the fact, as that persecution had extended to other districts, in one of which a Protestant church had been burned down. But as to the animadversions upon his narration of the sufferings of the Protestants previous to the revolution, how, he would ask, could he have illustrated the relief which the Protestants derived from that event, if he had not entered into that statement? If, however, he had been in error in making that statement, he had a precedent for that error, in the observations of the noble secretary himself, in discussing the case of the Spanish patriots. Therefore he could not from that statement be consistently charged by the noble lord with a desire to inflame religious animosities. But whatever the event of the motion might be, he felt that his statement, and the discussion upon it, would serve to do good without being at all calculated to do any harm. For it must do good to disclose the truth, and to bring acts of oppression to light in the only assembly in Europe where truth could be safely spoken. But the noble lord had said that the letter of the Protestant society in this country had done much mischief to the cause of the Protestants in France. What was the publication of injustice likely to do more mischief than the silent toleration of it? Had any measures of vigour been taken to bring the rioters to justice? The contrary, indeed, was evident, from the tone and terms of the French king's proclamation. But he did not on this ground mean to censure the king, for that monarch, like our regent, had the misfortune of acting through, and being acted upon by others. After hearing the whole case made out by the noble lord, he had no doubt that, under all its circumstances, the letter of the duke of Wellington was wholly unjustifiable on the facts. He would not divide the House, but he felt satisfied that the result of this discussion would be beneficial.

Lords Binning and Castlereagh, in explanation, disavowed any imputation upon the hon. and learned gentleman for his mode of introducing this motion. The question was then put from the chair, and negatived without a division.

HOUSE OF LORDS.

Friday May 24.

WEIGHTS AND MEASURES]. The order of the day for the consideration of this subject being read,

Earl *Stanhope* called to the recollection of their lordships that a bill had been brought up from the Commons on the subject of Weights and Measures, which bill their lordships had dealt with as it ought to be dealt with by men of science or sense —that is, had ordered it to be read a second time that day six months: nevertheless, in doing so, it was not the meaning of their lordships to say, that the subject itself was not one of very great importance, and that the present system as to weights and measures was one which required no improvement; but only that the bill was not calculated to effectuate the beneficial purposes in view. A noble friend of his (the marquis of Lansdowne) had at the time suggested that a commission should be formed, composed of persons of skill and science, to consider the subject, and report their opinion to the House; and this was the object of the motion which he was now about to submit to their lordships. It was the wish of his noble friend himself that he should take up the subject, otherwise he felt too much respect for his noble friend to have taken it out of his hands. The question for their lordships now to decide was very simple. They had only to consider, whether it was proper or not that the subject should be referred to men of science to report on it. If any plan of his should be ultimately adopted, he assured their lordships that it would be a plan founded on nature. He would have no 108 barley-corns, no length of so many acorns, no breadth of so many horse-chesnuts. If they adopted their barley-corn system, they would make themselves ridiculous in the eyes of all Europe. Such standards as these did not become the country of Newton, of Hutton, of Simpson, of Napier, and of Maclaurin. No such silly plan ought to be thought of, when a proper scientific standard might be introduced without any great inconvenience, as the old and new might be allowed for a time to go on together. The old and new styles were so allowed to go on together. The new style was introduced in 1752, to assimilate this country in that respect to other nations. No objection was made to it but one. Some people insisted that parliament had robbed the English year of eleven days, and made a present of them to Hanover. Now, however, the new style was almost universally used, though not altogether, for he himself had an estate in a part of the country where the old style was still used. As some noble lords were now in the House who had not been present at the time when the bill was under discussion, he would again state, from the evidence taken before the Commons committee, the remarkable fact, that there was an office in Westminster for stamping and adjusting weights where weights were stamped without being weighed or adjusted at all. This had for years been the practice. Weights had been stamped without ever having been put in the scales; and one of the witnesses stated, that he had several weights in his possession erroneous in different degrees, and which had been sent to try whether they wovld be stamped, and they were all stamped without having been adjusted; and the fees had been taken contrary to law, for the fees under the act of parliament were allowed not for stamping merely, but for stamping and adjusting. Their lordships would easily perceive what mischief might in this way have been done to the public, and even to the honest shopkeeper. He might have been prosecuted for having light weights, and have found his character blasted and ruined without any fault of his. This was scandalous. The witnesses examined before the Commons' committee did not very well agree as to the facts. Some described the French meter different from others; but that was the fault of the measure employed for the occasion. He should now propose to their lordships to address the Crown to appoint a commission, composed of the most eminent men of science, to consider the subject, and report. It was not enough, however, that the commission should consist merely of men of science. In order to obtain the desirable object of a free and easy communication with parliament, it would be proper that certain members (three at least) of each House of parliament should form part of the commission; and he should take the liberty of suggesting two names, the earl of Aberdeen and the earl of Rosse. As to men of science, it was desirable to have persons of different opinions in the commission, and he suggested the names of Dr. Hutton, one of the first mathematicians in Europe: Mr. Wollaston, the secretary to the royal society: Dr. Gregory, and Mr. Mudge, two very distinguished mathematicians; Dr. Robertson, professor of astronomy in the university of Oxford; Mr. Vince, professor of astronomy in the university of Cambridge; and Dr. Playfair, of the university of Edinburgh [lord Kenyon suggested that some one should be named from the university of Dublin]. Earl Stanhope, in continuation, thanked the noble lord for the suggestion, but he only at present mentioned some names who, he thought, ought to be on the commission, without pretending either actually to appoint them, or to limit the number. Eminent men might very properly be taken from the universities of Glasgow, Dublin, and others; and this put him in mind of an expression of his used on a former occasion, which he should be sorry to have taken otherwise than he intended it. He was himself sufficiently a man of science to know how disagreeable it must be to men of that description to be harassed with questions; and the plan would be to allow them to consider the subject by themselves, without being harassed with questions by Lords or Commons. But if examination should be thought necessary, he did not mean to shrink from his expression, but repeated, that he would examine their guts out. He concluded by moving an address to his royal highness the Prince Regent, to appoint a commission to consider how far it was practicable and advisable to establish a uniform system of weights and measures.

The Earl of *Aberdeen* observed, that he hoped some other, more capable than he was, would be appointed; for, with the distinguished names which he had mentioned, he did not feel that he could be of the smallest service. He had lately heard, however, that certain men of science were employed at present under the sanction of the Commons' committee in making experiments on the pendulum, and other matters connected with this inquiry; and perhaps it might be worth while to consider how far the present motion might be connected with that inquiry.

The Earl of *Liverpool* said, that on a subject of this importance it was advisable to proceed with the utmost caution. This was not merely a question of science, but also one of convenience and practicability, though undoubtedly the scientific part must be the foundation of the whole. But when the question of science should be settled, it would still remain for parliament to consider what would be the effects of the change in practice—how it would bear on the interests of buyer and seller, and how it could most conveniently be introduced. This was a matter of extreme delicacy, and persons acquainted with the law and practice in these matters ought certainly to be employed on the inquiry. He admitted, however, that a reformation in this respect, if it could be conveniently introduced, would be highly beneficial. Though the noble earl had thrown out his own ideas on the subject, he probably was himself sensible, that the nomination of the persons to be appointed on the commission ought to be left entirely to the discretion of the Crown, and he engaged that they should be chosen with the utmost impartiality, and solely with a view to the due accomplishment of the object.

Earl *Stanhope* said, that though the

modesty of the noble earl who had spoken before the minister, had induced him to disclaim a merit to which he was fully entitled, yet he hoped that persons who might have a strong influence on his mind would press him into the public service. But as to the inquiry now stated to be going on, he did not know by whom it was conducted, though he had heard reports, which if they were true, some of the persons engaged in that inquiry were of the description of those with respect to whom he promised to examine their guts out. As to what had been said by the noble earl who spoke last, he admitted that this was not merely a question of science, but one of science and expediency, and with regard to the names which he had mentioned, if the ministers of the Crown could find better in Europe, they would be indeed very fortunate. He was very anxious that it should be kept in view how very desirable it was that a proper and common standard should be adopted by the principal nations of Europe. This would be of prodigious commercial advantage to this country, but the object could never be accomplished unless we adopted a standard founded on nature. In a mere arbitrary standard other nations would not go along with us; but if a standard founded on nature were agreed upon, the other nations of Europe might go on in the inquiry together with us, and then a proper universal standard might be fixed upon, to the great advantage of all. He was the more urgent on this point at present, on account of the extraordinary facility of communication with the other nations of Europe which the present opportunity afforded; a facility of which we ought not to fail to take advantage.

The motion was then put, and carried *nem. dis.*

HOUSE OF COMMONS.

Friday, May 24.

Soap Excise Bill.] On the motion for the third reading of this bill,

Sir *M. W. Ridley* opposed the bill on the principle of it. As a matter of regulation he should feel no objection to it, but as a finance measure it should not have his concurrence, and he believed the chancellor of the exchequer would find himself disappointed in his expectations, if he thought it would be productive to the revenue. He also opposed it as it would tend considerably to injure the kelp trade.

Mr. *Brougham* wished to be informed by the chancellor of the exchequer, whether this bill was intended merely as a regulation bill, or a bill to raise money, and if the latter, he would ask what sum did the right hon. gentleman think it would raise? He had been informed that it was calculated to raise two or three hundred thousand pounds.

The *Chancellor of the Exchequer* replied, that the bill was intended first to protect the whale fisheries, but afterwards it was found that it would produce an addition to the revenue, which was not calculated to exceed 150,000*l.* Some regulations had been introduced into it which had been afterwards altered on the representation of the manufacturers of hard soap, who had pointed out the inequality of the operation of the bill on them and the manufacturers of soft soap. The whole of the increased duty would fall very lightly on the public, not being on an average more than three-pence per head on each person in the kingdom. The additional duty would not amount to more than eight or nine shillings in the hundred weight, and the whole duty would not be more than 30*s.* per hundred.

Mr. *Preston* opposed the bill. He observed that though the duty might be but small on individuals, yet it was by these imperceptible degrees that taxes had been raised to their present enormous amount.

Mr. *Curwen* believed the calculation would fall short of the amount, and that the tax would be 2*s.* each on a million of families. He would not object to any fair plan of taxation; but he was convinced this tax would fall most heavily on the lower classes.

Mr. *Brougham* observed, that by the alterations, the regulation part of this bill was dropped, and the tax part continued. Like other bills professing regulations, this was in fact a revenue bill, and was imperceptibly slipped through the House to a certain stage, before people knew the nature of it; and so they were prevented from considering their interests properly. The manufacturers, however, could easily combine, and one set get their exemptions, and another their drawbacks: and the consumers still had the tax to pay, after the manufacturers were relieved from what particularly pressed on them. It seemed the practice of the treasury never to bring in a bill of regulation without turning a penny by it. It was said that this tax would amount only to three-pence a head on an average, as it would be about fourpence on the higher, and three-halfpence on the lower classes. But thus measures advanced by degrees. Straw was laid on straw, till the last straw broke the mare's back. Additional taxation on soap, even at the lowest rate, must increase the price of labour. Had the tax on salt been begun at fifteen shillings a bushel, it would not have been borne; but the practice was to begin low, and then to advance, and say it was only threepence or fourpence in the increase. He hoped the House would pause before they passed a tax bill on an article of necessity, for which the only defence was, that the amount of the increase was small.

Mr. *Rose* said, nothing was more beneficial to the public, in matters of taxation, than to avoid taxes on articles of consumption: but what was to become of the revenue, if all such taxes were resisted, after the property tax had been given up? If the revenue could not be supplied in a more desirable way, we must be driven to the necessity of laying on such taxes as the present.

Mr. *Lyttelton* observed, that gentlemen opposite, finding they could not, through the assessed taxes, or any other assessments, find an equivalent for the lost property tax, were determined to propose such taxes as would make some people regret the abolition of the property-tax. He believed, however, that it would be found that any property-tax would fall ultimately most severely on the poorer classes.

The bill was read a third time and passed.

Board of Admiralty.] Sir *M. W. Ridley* rose to ask a question of the noble lord, which he hoped he would be able to answer. It appeared that a noble lord, the member for Monmouth (the marquis of Worcester), had vacated his seat, in consequence of accepting the office of one of the lords of the admiralty; and upon referring to the army list, he saw that he held a commission in the 7th regiment of hussars, being a lieutenant in that regiment, which was now serving in France. He wished to know whether he still retained his commission. If he did, it was evident that he either could not attend his duty, or if he did attend his duty as a lieutenant, then he must neglect his office as a lord of the admiralty, in which case it might be presumed the latter was a sinecure.

Lord *Castlereagh* said, he was not prepared to give any answer to the question of the hon. baronet, being unacquainted with the facts of the case.

President of the Board of Control.] Lord *Althorp* inquired whether it was intended to fill the vacancy in the above office, which had now been unoccupied above three months? If no appointment took place, it might be fairly inferred that the office itself was a sinecure.

Lord *Castlereagh* said, he had himself once filled that office, and he could assure the noble lord its duties were of a nature which rendered it any thing but a sinecure. He believed an appointment would soon take place.

Mr. *Brougham* observed, that the noble lord held the office in conjunction with that of secretary of state for foreign affairs, and therefore he no doubt found the double labour sufficiently severe.

Lord *Castlereagh* replied that, independently of any other occupation, the duties of the office, if faithfully and adequately discharged, were of a most laborious description.

Committee on the Distressed State of Agriculture.] The House having resolved itself into a committee of the whole House, to consider further of the Distressed State of the Agriculture of the United Kingdom,

Mr. *Frankland Lewis* rose, and adverted to the continued indisposition of Mr. Western, with whom this subject had originated, and whose absence, he regretted to say, could not be adequately supplied by any other member; but he wished some time appointed for the final consideration of the question respecting the distressed state of agriculture. He had delayed hitherto a proposition concerning wool; but it seemed necessary to dispose of a former resolution before he could proceed. He should therefore move to postpone the consideration of Mr. Western's resolution, leaving that open to him when his health was sufficiently restored. He then noticed some reports from the committees. Two resolutions had been made; one respected wool, and another the duty on rape-seed imported. The rape-seed duty was now 4*s.* per ton, and the selling price was 4*l.* per ton. He thought it important to get as much rape-seed and linseed as possible, as they made such excellent manure. The wool-traders had every claim to protection, but their interests could not bear competition with that of the growth of corn in the country. It had appeared before the committee that tobacco might be grown in this country; but duties could not be effectually levied on the home growth, from the temptations to smuggling. He then moved that the first agricultural resolution be postponed.

Mr. *Brougham* dissented from the opinion of the last speaker as to tobacco, and hoped he would recur to his original opinions against high duties and high penalties. The legislature had formerly empowered the justices to pluck up all tobacco plants, as high duties had been found inefficient. There was no excuse for the penalties but that of protecting the colonies. The colonists and merchants always enjoyed the advantage of flocking to the treasury, and obtaining laws to help them; But then we had Maryland, Virginia, and Georgia, which were now foreign countries, and we had scarcely an acre of tobacco, except a few in what were Dutch colonies. We were, in fact, giving encouragement only to the American farmers. Why not act concerning home grown tobacco on the same principle as we did with hops, &c.? He could not understand the objection on the ground of smuggling. He hoped to hear some better reasons on the subject of growing tobacco at home.

Mr. *Preston* was proceeding at considerable length to discuss the causes of the agricultural distresses of the country, and the general topics before the agricultural committee, when

Lord *Castlereagh* rose to order. The hon. gentleman, he said, was travelling into topics not at present proposed for the consideration of the committee. He was entering on the general subject of the resolutions, as if the adjourned debate upon them had been resumed, whereas the question before the committee was, whether the consideration of the resolution which had been read, and which opened the general subject, should not be postponed owing to the absence from indisposition of Mr. Western, and the committee should take up at present the consideration of the report concerning wool, which had been referred to the said committee.

Mr. *Preston*, although unwilling that the subject should be set aside without his having the opportunity of expressing his opinions upon it, and convinced that he was strictly in order while he was taking a general view of it, acquiesced in the judgment of the committee.

The question of the postponement of Mr. Western's resolution being put and carried,

Mr. *Frankland Lewis* rose to state his sentiments on the subject of wool regulation, which had been referred to the committee of which he was chairman. In the early part of the session, and when the agricultural distresses first came under the view of the House, he stated his sentiments on the impolicy of prohibiting the exportation of wool, and expressed his wish that the prohibitory laws should be reviewed and repealed. Great anxiety was excited among the manufacturers and woolstaplers in consequence of some disposition manifested by parliament to consider the propriety of such a measure. The subject was referred to a committee, and much information was expected to be derived from the inquiries into which it might enter. The manner in which that committee had thought fit to discharge the duty imposed upon it by the House, he had on another occasion explained: and although the information which had been acquired was not sufficient in itself, or of such a kind as to induce him to change his opinion on the impolicy of the restrictions of which he originally complained, yet it was such as to induce him materially to alter his first resolution. He would therefore now move, that the export of wool should not be absolutely prohibited, but should be laid under certain regulations for the protection of the manufacturer. Nothing was more impolitic than the existing restrictions on the export of wool, and nothing could be more unreasonable or ungrounded than the arguments on which they were justified. One prejudice that existed on the subject was, that a prohibition of exporting that article was necessary to secure the interests of the manufacturer; and another, that an unrestricted export would not benefit the condition of the agriculturists. In proof of this latter position, the committee were directed to the state of the wool-trade for the last twenty years, and were told that it had not fallen in price, but remained steady, amid the fluctuations in the value of other kinds of agricultural produce. Such a fact did not warrant the conclusion that was drawn from it. Wool had actually fallen in consequence of the prohibition, or at least was prevented from retaining that relative price, as compared with other articles of agricultural produce, which it anciently possessed. Corn and cattle had risen in price during the last three centuries in a much greater proportion than wool; and this difference of ratio could be attributed to nothing but the severe restrictive laws under which it was placed. In the year 1339 the price of a tod of wool was at 30 shillings, while the quarter of wheat brought no more than four shillings. Let any one compare this scale of prices with that which existed at present, and he would see the great disparity between them. It was not till the year 1660 that the laws which regulated the trade of wool attained all their height of prohibitory severity; and in 1677 we might find their bad consequences, in a pamphlet, intituled "Reasons against prohibiting the export of wool," stated and complained of. From this work the price of wool, as it stood, might be obtained, and it appeared that it then brought *5d.* a pound. The restrictions still continuing in the year 1780, it would be found that no improvement had taken place, the price being then only fourpence or fivepence. This stationary price of wool, during a period when every thing had risen in money value, could be attributed to nothing but the restrictions which were imposed upon its export. The same conclusion might be supported by a fact mentioned in a pamphlet published in 1739. This pamphlet stated, that while English wool sold for sixpence in England, in France it sold for tenpence. Any one conversant with the work of Mr. Arthur Young on France, would know, that while he was in that country English wool was to be sold there for fourteenpence a pound, which here brought only nine-pence. At the end of the American war the same quantity which brought only *5l.* in England was equivalent in value to *20l.* at Amsterdam. It could not but be inferred, then, that a removal of the prohibition on exporting wool would increase its price, and if this conclusion were undeniable, it must appear equally true, that in so far a change of the wool laws would assist agriculture. What, then, were the objections to a measure that would be attended with such a beneficial result? These objections were various, and he would proceed to discuss some of them.

It was said that a free export of wool would ruin the manufacturer, and that as woollens constituted one of the staple articles of our manufacturing industry, in so far we should injure the trade, and diminish the resources of the country. This alarm appeared to him to be perfectly unfounded and chimerical. The main prop of our manufactures was the monopoly of the home market, and of this the woollen manufacturer would not be deprived by repealing the prohibitory statutes on the export of wool. Let it be considered what a small proportion of woollens we exported to foreign countries, compared with that which we consumed at home, and any fear of ruin to the manufacturer must appear extravagant. The home value of woollen cloth in 1814 was between 26 and 28 millions, and of this quantity we did not export more than to the amount of 5 millions, including the supply of Ireland and our colonies. Here, then, the home market, which the manufacturer would exclusively enjoy, was to the foreign as 23 to 5: and when the monopoly of Ireland and our colonies was likewise taken into the account, the dependance upon foreigners would appear still farther diminished. In former periods, when the restrictions on the export of wool did not exist, or were not so severe as they now were, the proportion of the manufacture sold in foreign markets were greater than at present. At the end of the sixteenth century, when only the value of 8 millions was manufactured, 2 millions was exported. In the year 1345 the export of wool and woollens amounted in value to 737,000*l.* nearly the half of what was exported three centuries afterwards. In fact, the alarm of ruin to our manufactures from a repeal of the wool laws would appear chimerical, when we considered that no monopoly of the raw material, and no peculiar facilities of procuring it, much affected the success of the manufacturer. Our silk-manufacture flourished, and yet the raw material paid duties that yielded 777,000*l.* to the revenue of the country. No manufacture had succeeded so astonishingly as that of cotton, and yet the raw material employed was brought from a foreign country, and paid upon its importation, duties which amounted to 600,000*l.* per annum. This manufacture not only laboured under this disadvantage, but was opposed at its establishment by the jealousies and rivalship of the woollen trade, yet in 1814 the export of cotton cloth alone amounted in value to 18 millons. Seeing, then, that our silk-manufactures flourished, not only without favour, but under duties; seeing that the cotton-manufactures did the same;

seeing that a monopoly of the home market would be enjoyed—what would ruin the woollen manufacturer, though the raw material which he employed were allowed to find its level without regulation or restriction?—Another objection to open the wool trade was, that if our wool were allowed to be exported to foregin countries, where the price of labour was so much lower than here, it might be manufactured there so cheaply as to exclude the products of our industry from the markets to which they were usually carried. To this an answer could easily be found. The cheapness of labour alone did not encourage manufactures, as might be seen in Spain and in Ireland, where labour was cheaper than in this country, and where there existed nevertheless little manufacturing industry. This country was the first manufacturing state in the world, not because labour was cheaper here than elsewhere, but because our persons and properties were secure—because we had a good government—because we possessed some peculiar natural advantages—because we had coals in abundance—because we had machinery and mechanical ingenuity—because, from our situation, we were not liable to the devastations of war which interrupt the progress of all improvement in countries exposed to its fury—and, above all, because we had a vast accumulation of capital, in which no other people could compete with us, and which would not seek employment under laws that yielded a more uncertain protection.—The next objection to an open trade in wool which he had heard was, that there was something peculiar in the quality of English wool that the same article in no other country possessed, and that, while we retained our monopoly of it, we should likewise have a monopoly of the woollen trade of the world. Here the hon. gentleman read two extracts from different pamphlets, which stated that foreigners could not manufacture good cloth without a mixture of English wool, and that the possession of this peculiar kind of it gave us something like the monopoly that the Dutch enjoyed of the spice trade. The hon. gentleman ridiculed this opinion, both as it respected long combing-wool, as it was called, and short wool. By withholding this species of wool from foreigners, we could not compel them to take our manufactures, but we might teach them to do without both the raw material and the manufactured article. We had already lost ground in woollens. The greatest part of our exports went to the United States and to Portugal. Spain and France went for nothing. Germany still was our customer to a considerable extent; but Russia was entirely shut against us, and Sweden and Denmark consumed but little. We had not, then, a monopoly of the woollen trade: and if we had not, it was surely impolitic to continue restraints, under the idea of guarding it, by the abolition of which our agricultural interests would be promoted. The legislature was bound to act in the spirit of even-handed justice between party and party. Before it was induced to continue the law as it now stood, the manufacturers should be called upon to show that they found for the agriculturists a market for wool in its manufactured state equal to that of which the latter were deprived for their raw material. The House would be told of the danger of our woollens being undersold in the American market, but he entreated them to observe how small a portion the export of woollen goods to America constituted of our whole manufactured produce. Our hold over the American market depended on other circumstances, and arose from different causes. The Americans traded generally on very long credit, which we were peculiarly enabled to give, from our superior and accumulated capital. With regard to the general tendency and progress of this branch of our manufactures his opinion was, that, notwithstanding all the fostering care of the legislature, it was already upon the decline, and was likely so to continue. That the manufacturing classes might fall into lamentable errors in judging of their own real interests had been pretty well shown in the opposition made by those engaged in the woollen manufacture against the introduction of calicoes. It was an important truth which could not be too often impressed, that, whether between individuals or nations, the interests of one could be promoted without advantage to those of the other. The prosperity of one class of men, as of one country, never failed to communicate itself to the rest of the world, and to add to the wealth and resources of all.—To recur to the main point of his argument, he begged to remind them, should America follow the example of most of the nations of Europe in at length excluding our manufactured woollens, how imperiously necessary it would then become to allow a free export to the raw material. In the report of the committee on this subject, it appeared by the evidence of of a very large woollen manufacturer Yorkshire, Mr. Pym Levins, that he made cloths for the American market only, in the manufacture of which he used nothing but foreign wool. Thus the agriculturist was pressed by a monopoly on each side; he could buy only of the home manufacturer, who could make use of an article of foreign growth and he could sell his own produce only to the same manufacturer. With these views on the subject, he could not but consider the law as founded on a dark and uneven policy; and that it had become highly expedient to allow the exportation of wool under certain regulations, until it should arrive at a fixed price in the home market. One great branch of the present argument he had purposely abstained from, because it appeared to him to demand a discussion on its own separate merits—he meant the application of his principles to the state of Ireland. He should only say therefore at present, that if his doctrine was just in its relation to the circumstances of this country, it was still more necessary to those of Ireland [Hear, hear!]. He should conclude by moving the following resolution: "That it is expedient to permit the exportation of wool from all parts of the united kingdom, under such regulations as may afford protection to the manufacturer."

Lord *Lascelles* thought the speech of the hon. gentleman contained a good deal of information, but that it was chiefly derived from books written under different circumstances of the country, and inapplicable to its present situation. It appeared to him to be a curious argument, that because the woollen manufacture was on the decline, measures should be taken to allow the export, coupled with duties on the importation of wool. He was not disposed to favour the manufacturing above other classes; but when he reflected that this was the staple manufacture of the country, and considered also how unavailing had been all the recommendations of the committee appointed to inquire into the best means of regulating the corn market, he was convinced that there was good reason for inducing the House to avoid all interference with such subjects. The hon. gentleman did not appear always to bear in mind that the quantity of wool grown in this country must depend on the demand for sheep. The noble lord said, he knew no means so effectual for bringing the foreign manufacturer into close competition with ourselves as by allowing him the use of this article.

Mr. *C. Brooke* alluded to the assertion made by the hon. mover of the resolution, that the price of wool bore no proportion to that of all other articles, which assertion he had attempted to prove by a comparison of modern prices with what was the price of the tod in the reign of Edward 3rd. This argument, however, the hon. member proved to be unfounded, as the weight of the tod in the reign of Edward 3rd differed extremely from what it was in that period at which the comparison had been made. He made a statement of what were the prices from 1781 to 1815, to show the progressive and rapid rise in wool. From 1781 to 1785, wool was sold at 6¾d. per lb.; from 1785 to 1795, it was 10½d.; from 1795 to 1806, it was 15½d.; and from 1806 to 1815, it was 18d. What other article could show so great and rapid an increase of price? In fact, English wool was at present higher than ever. There never was a period at which the growers of wool could come forward with less ground to ask relief than at the present moment. In this feeling he should oppose the resolution altogether.

Lord *Milton* said, that from the best consideration he could give this subject, so far was he from thinking that there was any danger to be apprehended from the adoption of the proposition contained in the resolution before the House, that he thought, with the qualification by which it was accompanied, no course could be taken more likely to produce permanent advantage to the wool trade. His noble colleague, with whom he was sorry to differ on this occasion, had asked, with what grace the export of wool could be demanded at a period when its price was so great? It was also asked, would you destroy the woollen manufacture of the country? He was the last man that would wish to put to hazard this important branch of the industry of the country; nevertheless, he did not believe, if the exportation of wool was permitted under the arrangements proposed, that any danger whatever would arise to our manufactures. France, notwithstanding she permitted the exportation of her fine wools, was, nevertheless, able to undersell the English manufacturer. The accumulation of capital and the security of property were the advantages which this country enjoyed in a manufacturing point of view. The prosperity of the woollen trade was not at all owing to any idle commercial regulations. He had hoped that the system of commercial restriction was exploded; and he was persuaded that if the nations of Europe would unite to do away with those laws by which commerce was fettered, the general wealth would be much increased. He was satisfied that by allowing the exportation of wool, the price would be diminished to the home manufacturers instead of being increased. This was the principle assented to by the best writers on political economy, and those who had read Adam Smith's work, so often quoted and praised, but so seldom followed, would find there recommended the identical proposition of the hon. gentleman. The present restrictive laws, which some persons called the palladium of British commerce, were enacted in barbarous and ignorant times, and demanded revision. Persuaded as he was that in the hon. gentleman's proposition there was nothing that could injure the woollen trade, but that it would ultimately do good to trade in general, he must, notwithstanding the obloquy which it might draw upon him from some quarters, give his cordial assent to it.

Lord *Castlereagh* rose, not to give an opinion on the subject, but to suggest to the House whether, considering the magnitude of the question and the variety of interests which it embraced, and considering that it could not be determined during the present session, it would not be expedient to postpone its further consideration? He did not think parliament in a condition at present to proceed upon it. He recommended therefore to the hon. gentleman to allow of the postponement of his proposition, without prejudice to its being taken up at a future period. On these grounds, and without stating any opinion on the subject, he would move that the committee be postponed.

Mr. *Brand* said, that, considering the well known distresses of the agricultural interest, it was the duty of persons so high in his majesty's government as the noble lord to have formed some opinion on subjects so interesting as the present. He had heard that there were very unpleasant reports in town from the Isle of Ely, of the lower classes, yielding to their sufferings, having committed the greatest excesses and violence. If the farmers in that part of the country had got a protection to their rape-seed, there was a chance of money being advanced to them on their crops, and of their thus being enabled to give employment to their labourers. He was anxious to know whether ministers meant to act on the report of the committee on rape-seed.

Lord *Castlereagh* replied, that he was not even aware that the committee had reported on rape-seed, and therefore could give no opinion on the subject. He was not conscious of having neglected the agricultural question, and gentlemen must recollect that steps had been already taken on branches of it that were not complicated and mixed up with the subject of manufactures. But the proceedings of the House had already produced an expectation that no change would be made in the wool laws during the present session, and this alone was a sufficient reason for not pushing the matter now. Besides, the prices of wool never were higher, and therefore to state the distresses of agriculture as at all arising from them, was travelling too far from the point.

Lord *Lascelles* said, that his only objection to the proposal for postponing the resolution was lest an impression should go abroad that the question would be renewed—an impression that would be calculated materially to injure the trade and the markets.

Mr. *Baring* complained that the course now pursued had no other tendency but to keep the country in total uncertainty. Parliament, it seemed, was to do nothing but discuss questions of this sort from day to day, while the ministers, instead of taking a manly and decided part, stood aloof from all responsibility in managing the internal concerns of the country. It was high time to put an end to these questions; for, while they were agitated, the prices of all kinds of subsistence were undergoing perpetual fluctuation; corn was up one day, and fell the next; and the House, by prolonging this kind of mock discussion which must end in nothing, were only favouring speculation of every kind. The best way was to set the present question at once at rest, and let the people carry on their operations in peace and quiet. He thought that no case had been made out to justify an interference with the ancient laws on wool. The arguments for a free trade in wool, however just in themselves, came with a very bad grace from the agriculturists, who had placed the country in an unnatural and artificial state by their corn laws.

Mr. *Tierney* rose, not to say one word on the present topic, but to suggest that some resonable time should be allowed for enabling him to bring forward his motion, which stood for to-night, and for which he was promised the precedence. He recommended that the previous question should be moved.

Mr. *F. Lewis* said, it was indifferent to him whether the farther consideration of his resolution were postponed or the question put upon it at once.

The *Chancellor of the Exchequer* expressed his conviction that the country would applaud the conduct of ministers, in rather calmly and patiently attending to discussion and deliberation before they decided, than in coming to any hasty decision upon a question of such moment.

Mr. *Curwen* declared, with all his regard for the farmers, the most decided objection to the principle of this motion.

Mr. *Brooke* proposed an amendment, directly negativing the motion, which amendment, he however, afterwards withdrew.

Sir *J. Newport* observed, that the report of the agricultural committee upon this subject had been fourteen days upon the table, and yet ministers appeared to be totally unacquainted with it.

Mr. Robinson declared that he had never seen this report.

The question was put, and the resolution was negatived without a division. The House then resumed, the report was brought up, and leave asked for the committee to sit again upon this day se'nnight.

Civil List Bill]. Mr. Brogden having brought up the report of the bill for the better regulation of the Civil List,

Mr. *Tierney* rose to call the attention of the House to the important subject of the present bill; though, after having so often spoken upon it, it would ill become him to occupy much of their time on the present occasion. Every gentleman must be aware that applications had been made to that House, year after year, for means to cover the deficiences of the civil list, and that various plans had been fallen upon to regulate and limit its expenses, but that all of them had proved unsuccessful. The present bill professed to be a remedy for these constantly recurring excesses, and it was proper to inquire what that remedy was. It professed to separate the ordinary expenses of the civil list from those which were less immediately connected with the splendour of the Crown, and to throw the latter partly on the consolidated fund, and partly to leave them to be provided for by votes of that House. The sums which the bill appropriated to the ordinary civil list expenditure amounted in all to 1,083,727*l.* It was so constructed, that this in future was to be what was called the civil list establishment; not that the charges were diminished, but that the extraordinary expenses should be thrown upon other funds, and upon the votes of parliament. Now the sum to be provided for by parliament in this latter way amounted to 255,000*l.* This was the statement of a committee, not of that House, but one appointed by the noble lord, and which committee made an exceeding of the extraordinaries over the ordinary civil list of the sum he had mentioned. The whole therefore, of the annual charge for these purposes would amount to 1,338,000*l.*, of which parliament must must make good 255,000*l.* This therefore, was a most important bill, and it would well become the House, before they assented to it, to consider whether means might not be fallen upon to pare down the excesses of the civil list, before they resorted to other resources. Upon the subject of paring down the civil list he had nothing else to say. He had repeatedly directed the attention of the House to that most important measure, but they had always refused to appoint a committee. They hoped that, in time, they would find the result of this determination satisfactory; but, for his part, he knew pretty well what would happen. If they chose, however, wilfully to shut their eyes against all inquiry—if they were determined not to be informed on the subject—it did not become him to press it any longer. An estimate had been laid upon the table, and they were now called upon to adopt it, and to make provisions accordingly.

The noble lord opposite had stated, that the first object of the bill was, to simplify the civil list; but in what manner was this to be done? It was by the appointment of an entirely new officer, and this gentleman was to control every thing. The departments of the master of the horse, the lord chamberlain, and lord steward, were to be subject to his revision. But the most extraordinary circumstance was that this new officer was to have a salary of 1,500*l.* a year for his trouble, and this at a time when the country was calling upon the House to make every possible retrenchment. But what was this gentleman to do? He was only to do that for which many others were already paid. It was singular, indeed, that the noble lord should wish to remove from the Crown all odium with regard to the expenditure of the household, and yet think proper to recommend the appointment of an officer never heard of before. The whole of this department was limited to the lord chamberlain, the lord steward, and the master of the horse; and the House should bear in their mind, that three very respectable gentlemen already superintended the duties of these offices. At the head of the lord chamberlain's department was Mr. Marsh, at that of the lord steward's Mr. Brent, and at that of the master of the horse Mr. Parker. Now, all these gentlemen, he supposed, were to have sinecures, or else the new officer was to be a sinecurist. The noble lord might say—but that would be no answer to him—that the 1,500*l.* was to be paid by the savings of the civil list. If any savings, however trifling, could be effected, the public ought to receive the benefit. It was well known, however, in what manner the noble lord and his colleagues endeavoured to practise economy; they contrived to save at one end, and then expended at the other. The only fair way of providing for the salary of this gentleman would be to take 500*l.* a year from each of the three persons who already conducted the business of this department. He supposed, however, that the treasury had found themselves unable to cope with these officers; ministers were not able to face them, and had no control over them. But what benefit would the public derive from this new officer? The House would know nothing of him, except his annual application for 1,500*l.* For his part, he objected altogether to this manner of new-modelling the civil list; and the result of his opinion was, that it would be more convenient for the public service that a liberal sum should be appropriated for the civil list, to which the Crown should be bound to confine itself, or to assign some very substantial reason for coming to parliament. In former periods, the Crown had been considered as the fountain of grace and beneficence; but, from the manner in which the civil list had been conducted for many years past, it was deprived of the power of encouraging merit, of rewarding genius, and of protecting the arts and sciences. The Crown was the source from which all meritorious persons used to receive their reward; but at present it really appeared to be nothing but a burthen on the public and this the noble lord called consulting the honour and dignity of the Crown. This was a branch of the subject that deserved the most serious consideration of the House; but he would not occupy their time by enlarging upon it, as he trusted an hon. gentleman whom he then saw in his place, would more particular direct their attention to it. He was convinced that the expenditure of the civil list could only be examined by a committee. The aggregate amount was stated in the estimate, but it was constituted of various charges, and the House should be apprized of all the details of the application. He was quite sure that the present mode of arrangement was not the sort of business that would attract the notice of parliament, so as to induce them to enter into it as they should do; they were to vote a sum of money in the nature of a vote of credit; and then, in the next year, they would have an account how it had been expended. He hoped however, that this system would not be suffered to continue, and that some gentleman would vote for an estimate of the civil list to be laid upon the table within so many days after the commencement of every session.

He wished then to come to the main part of the question; namely, to see what could be saved to the public. The bill recited all the different acts that had been passed on this subject during the present reign; and then went on to state, that the ordinary revenues of the civil list had for many years past been found inadequate to defray the charges thereon, and the deficiency had been made good by the application of the funds arising from the droits of the Crown, or other extraordinary resources, or by special grants of parliament. Now, this assumed that there was a deficiency in the ordinary revenues of the civil list which parliament had always acknowledged, and, in consequence, had found it necessary to supply; but his object was, to endeavour to persuade the House to agree with him, that parliament ought not to be called upon to make good any deficiency, until it had been shown that all the resources of the Crown had been exhausted. He denied that the Crown had any right to come to that House until it had availed itself of all its own assets; and, considering the past generosity of parliament, and, above all, the present distressed situation of the country, he should not have thought that any set of ministers would have called upon the public to supply the deficiency, unless no other resources could be found. This bill, however, would leave all the droits of the Crown, and other extraordinary revenues, at the disposal of the Crown, and enable it to call upon parliament to make good the exceeding of the civil list. It had been argued that the Crown had a vested right in these droits; but the House should remember, that his Majesty had undertaken, early in his reign, for 800,000*l.* per annum to defray all the charges of the civil list. His majesty now found that he could do no such thing; but before he had a right to call upon us for 10*l.* we were entitled to say, give me up the 7*l.* in your possession: you are unable to pay your debts; but if I am to take them upon me, give me up your assets [Hear, hear!]. This was a new bargain with the public, and they ought not to be called upon to make any payment till the Crown had availed itself of all its resources. He only prayed of the House to consider what was the real state of things at this moment with respect to the droits of the admiralty. By a treasury minute then upon the table, they would find an order for defraying the exceeding of the civil list amounting to 277,000*l.* The same paper stated, that a Mr. Troutback having died without heirs, the king was entitled to his property, and 80,000*l.* went to the Crown. Now, if there had been no debt, and the Crown had not applied to parliament to discharge it, the House would never have heard one word of Mr. Troutback, or his 80,000*l.* [Hear, hear!]. This one case, however, was enough to prove that the Crown was in the receipt of very considerable sums of which many hon. gentlemen had no idea. The lords of the treasury then went on to state, that the residue of the 277,000*l.* should be made good out of the droits of the admiralty. After this, 7,000*l.* remained to be paid. But in what manner had this exceeding been created? 20,000*l.* had been given to the Prince Regent for new furniture, and 50,000*l.* for making additional buildings to the pavillion. The right hon. the chancellor of the exchequer said, that of the 277,000*l.* no larger a sum was available for the purpose than 30,000*l.* Now, deduct that from the 50,000*l.* and there would remain 20,000*l.* of arrear to be made good by somebody. But this was not all. It appeared by the accounts of the civil list then before the House, that, in the quarter ending on the 5th of April last, subsequent to the period when he left off with the balance of 20,000*l.*, which there was no means of paying, there was a deficiency of 148,000*l.* Add this to the 20,000*l.*, and then there remained 168,000*l.* to be made good by the public. Of this great deficiency, 70,000*l.* might have been saved, if ministers had not accommodated the Prince by drawing on the droits of the admiralty.

The House would have no security against a repetition of such transactions, if they did not by act of parliament take the appropriation of those funds into their own hands. Ministers would wilfully and wantonly throw them away, unless parliament interfered, and said at once, we will not make good the exceeding of the civil list until all the resources of the Crown have been exhausted [Hear, hear!]. The statement which he had then made did not depend on any information of his, nor was it liable to be controverted: it was all on the table of the House. Here, then, was a burthen of 70,000*l.* cast upon the public, because the droits of the admiralty had been applied in a way in which they ought not to have been applied. On this April quarter there was only one other observation to make and that was, that the expenditure of the civil list had exceeded, to an enormous amount, the estimate of the noble lord: and he would then ask, whether any man could doubt that this expenditure would go on increasing from time to time? He knew the answer that would be given. Whenever there had been an excess in the expenses of the civil list, it had been always called an extraordinary expenditure; but then the House should remember that this exceeding had been annual. There was the mischief of the precedent. He did not know who the persons were that the noble lord had examined on this estimate, or whether they were capable of affording information; it was probable, indeed, that he had not given himself much trouble on the occasion. The new inquisitor was empowered to send for books, papers, and records, and to examine persons on oath; but the Commons were not allowed to examine any persons. Why was this power vested in this officer? Why were the House of Commons the only persons to be excluded from inquiry? Colonel Stephenson, of the board of works, had power to send for persons, and to examine them on oath, but the representatives of the people, the guardians of the public purse, must not pretend to an equal authority! Why was this power given to the inquisitor, which could not be entrusted to the House of Commons? It was given because it was found impossible to go on with the civil list, if a power like this was not vested somewhere. But why the House of Commons were to be the only body excluded, he could not see. The whole argument used here was, that the dignity of the Crown could not bear to have its transactions inquired into. Now, however, it seemed that the dignity of the Crown could bear to have its whole expenditure inquired into by a person possessing 1,500*l.* a year, for being a mere spy on the kitchen. It was said that Mr. Burke wanted to examine the turnspit; but this new inquisitor was to examine him and every body else. The object of the bill, however, was only to entrap parliament: they were first called upon to give their concurrence to it, and then with great gravity they were told that there was an estimate upon the table. He certainly objected to the whole tenour of the bill: but if he could not effect the whole of his object, he would be contented with doing what he could. The noble lord would remember that he (Mr. Tierney) did not come to the Crown, but the Crown came to him *in forma pauperis*, and said, it could no longer go on without his assistance. Let the Crown, therefore, show him first what resources it had of its own, and then draw on him, and he would assist it liberally [Hear, hear!]. He should say no more, that he might not weaken what he had said by over much explaining. He should in the first place move, that after the words in the preamble, "And whereas the ordinary revenues of the civil list have, for many years past, been found inadequate to defray the charges thereon, and the deficiency has been made good by the application of the funds arising from the droits of the Crown, or other extraordinary resources, or by special grants of parliament,"—instead of the words, "And whereas it is highly expedient that the ordinary revenues of his majesty's civil list should be made adequate to the ordinary charges thereon; and that several of the charges which have heretofore been borne upon the civil list revenues should in future be made a charge upon and be defrayed out of the consolidated fund of Great Britain or otherwise provided for, there should be inserted the words, "And whereas it is highly expedient that the expenditure of the civil list should not exceed the revenues of the same, and that the several remaining charges which have heretofore been borne on the civil list expenditure, or have been made good by applications of the droits of the Crown, should in future be made a charge on the consolidated fund of Great Britain: or that the amount of such expenditure not provided for by parliament, if a sum exceeding the revenue arising from the droits of the Crown or other resources, should every year be submitted to parliament."

Lord *Castlereagh* said, he must certainly lament that the right hon. gentleman was not always consistent on this subject. They now found that he was inclined to give a fixed revenue to the Crown, which he acknowledged had not been his opinion on other occasions, and certainly no opinion could be more untenable. A state of war, and the peculiar situation of the continent during the last 25 years, had made fluctuations in the civil list of from 200,000*l.* to 400,000*l.* The right hon. gentleman was in general sufficiently attentive to the public expenditure, but now he seemed to have so great a distaste even for every thing that came from the committee, that he objected to the appointment of an officer to regulate the expenditure of the civil list. He did not think, however, that the reasonings of the right hon. gentleman would make any impression on the House, when the committee gave it as their deliberate opinion, that a person should be appointed to audit the accounts. The treasury, they said, could not expect the purposes of economy to be effected by any other mode. With respect to the salary, he did hope that arrangements had been made, in consequence of the recommendation of the committee, which would enable the civil list to pay it without any additional burthen to the public. He had formerly stated, that measures had been taken to make retrenchments, until the whole expenditure of the civil list should be reduced to a certain amount; and he had now the satisfaction to inform the House, that the Prince Regent had been graciously pleased to give directions, that such vacancies as should occur in several departments of the household should not be filled up. There were thirty-two such places in the lord Chamberlain's department, amounting to between three and four thousand pounds a year, and several in the lord steward's, amounting to nearly 6,000*l.* a year; so that a reduction of expense had been ordered, as soon as the offices should fall in. Not less than sixty such offices might be considered as suppressed in the royal household: and, therefore, the principle of future economy had been strictly complied with. The right hon. gentleman thought that the estimate was falsified by the April quarter; but he should be able completely to satisfy the House, that the April quarter was by no means to be taken as a criterion of the future expenditure of the civil list. Having thus far troubled the House on this branch of the question, he should now come to the substance of the right hon. gentleman's proposal, and submit to the House his views of the subject. He was not quite clear that he had thoroughly comprehended the right hon. gentleman; but if he was not mistaken, the proposal he had made would give the Crown more power than the present measure. His proposal might be reduced to two heads; first, as to withdrawing the disposition of the droits from the Crown; and secondly, as to the mode in which that was to be effected. Now, as to tying up the droits, if such a regulation were attempted, it would arrest the whole progress of the executive. The right hon. gentleman had mixed up the question of the arrangement of the civil list with that which regarded the disposal of the droits; but parliament could not be justified in making any arrangement with the Crown incompatible with the due regulation of public affairs. When the Crown, at the commencement of this reign, made a bargain with the public at the first arrangement of the civil list, it gave up many sources of revenue, but never the droits arising out of the prerogative. If it had done so, what would have been its situation in all matters of prize-money? It could not in such cases have granted prizes to the navy and army without coming to parliament. In all cases of droits it was always a question of liberality with the Crown what portion should go to the captors. The Crown had always regulated matters of booty, and therefore the House would see that the whole executive must be at a stand still, if the droits were surrendered up; and that they would be taking away that fund which was the great encouragement of naval and military services. It never could be the wish of parliament to deprive the Crown of this privilege. The House would not suppose from his reasoning that he wished to contend, that when it was called on to provide for any exceeding in the civil list, no account was first to be rendered of the state of the casual revenue of the Crown; he was prepared to admit, that on such occasions ministers must be ready with an exact account; but the question between the right hon. gentleman and himself was not a question of principle, but one of execution. No minister had ever refused an account of the state of those funds; nor did the present bill at all go to discharge them of that responsibility. If it could be done without disturbing the executive functions, nothing could be better than that the Crown should give up those casual revenues on the regular supply being made; but this was not the proposal, and therefore it was an unanswerable argument for him, that if the Crown were called on for this revenue, an equivalent must be given. The House would always call for an account of the state of the droits before they voted any supply for the exceedings of the civil list. The present bill, therefore, gave a much greater control over the revenue of the Crown than had ever before been exercised, for it presented two occasions on which the House would inquire into the state of that revenue; first, when the usual inquiry was made by anticipation, and next, when they came to vote a supply. Did the right hon. gentleman contend that the whole power of parliament was confined on that bill, or was he (lord C.), calling on the House for any pledge? His majesty's ministers must always come to parliament, and show the state of the casual revenue,and what proportion could be withdrawn from it; but that fund was not of a nature that the balance could be assigned on any particular day. There were large sums belonging to foreign powers—to American, Turkish, Danish, and other claimants. The only mode therefore, in which the right hon. gentleman's object could be attained, was by the old mode which had always been adopted. A great deal of prejudice had been unjustly thrown on the administration of the droits, and they had been represented as a fund out of which ministers might supply any waste or extravagance. He contended for no such right, and admitted that ministers were as responsible for these sums as for any other. It was perfectly consonant to our constitution that large sums should from time to time be committed to the disposal of the Crown; but there was nothing in the whole history of the droits to show any abuse—to excite the jealousy of parliament, or the reproaches of the right hon. gentleman. The following, however, had been the application of this fund since the accession of his present majesty; (he said nothing of what had been distributed in prizes, but spoke only of the residue):—in aid of public services there had been expended 2,822,000*l.*; towards the civil list 1,334,000*l.*; the grants to the royal family amounted, up to 1815, to 192,000*l.* only, of which 100,000*l.* were granted during the Grenville administration. The whole imputation rested within these limits. He would contend, therefore, that there was no ground for reproach; that the disposition of this fund was necessary to the executive government; and that without it the whole course of our jurisprudence would be paralyzed. As to the particular application of the droits in the present instance, the reproach which had been levelled against it was not merited, and the sums must have been found somewhere, for the palaces were in such a state as to be scarcely habitable. The right hon. gentleman had complained of extravagant sums spent in furniture: that was also a mistake; the money was principally laid out in fitting up the interior of the pavilion at Brighton; his royal highness the Prince Regent had taken large sums for this purpose out of his privy purse. He was the only sovereign in Europe living in a house erected by himself; and this was upon the whole an economical arrangement, that his royal highness should have a house of his own, rather than plunge the country into expense for new palaces. He (lord C.) had shown, therefore, that there were no grounds for the jealousy of parliament. If parliament had been called on to grant new sums, they might have imposed new conditions; but at present it would be absurd in the extreme to cripple the executive in the manner proposed, when the present measure would bring the revenue in question much more under the control of parliament than ever it had been. There was not therefore the slightest shadow of reason for the amendment of the right hon. gentleman, not even on the principle that the droits were applicable to this kind of expenditure.

Mr. *Tierney* explained, that he did not suggest the taking altogether the droits of admiralty into the hands of parliament; he had referred to the words which had been used in a former part of the bill, "Whereas the ordinary revenues of the civil list have for many years past been found inadequate to defray the charges thereon, and the deficiency has been made good by the application of the funds arising from the droits of the Crown, &c." He had then proposed that by authority of parliament, these funds should hereafter be made available in the same way as heretofore — after satisfying all captors and suitors. He must have been out of his wits, if he had proposed to overturn the jurisprudence of the country by a disregard of these claims; and if his meaning was not sufficiently expressed in his amendment, he would alter it.

Mr. *Ponsonby* said, the consequence of the bill, unless the amendment were adopted would be, that parliament would have to make good the deficiencies which would be incurred on the responsibility of ministers, just as they had done heretofore. The noble lord had adopted a style of argument which he was in the habit of adopting, by alluding to the opinions of his right hon. friend as to the settlement of the civil list on a former occasion: but those opinions had no reference to the present question. The noble lord had asked them why they would interfere with the prerogative of the Crown? He would answer that notwithstanding what the noble lord had said, he (Mr. P.), was convinced that a great part of the sums at the disposal of the Crown had been spent in a reprehensible manner. It was not consistent with their duty that they should relieve the Crown of a charge of 255,000*l.* a year, without security against the improvidence of ministers, and keeping in their own hands the application of these extraordinary funds. The noble lord said, he agreed in principle with the amendment; if this was the case, the noble lord might alter the amendment to suit his own fancy, provided this principle was granted —that parliament should get the control of this money. If this amendment was not adopted the money would be spent as the Crown chose; and when that was done, it would be said that the money was gone, and that parliament on that account could not refuse the annual grant, which was absolutely necessary for the public service, for bills to tradesmen, and for embassies; these services, it would be said, must be made good, and as to the expenditure of the sovereign, however extravagant, yet as the money had been spent, there was no remedy. It was monstrous to consider the sums which had been voted in aid of the civil list. He did not wish to speak harshly, but this was a subject on which to try the honour and integrity of the House. They should turn their consideration to the relief of the public, who wanted relief as much as the Crown, and more than the ministers. One member of the United Empire had been lately declared bankrupt in that House, and unable to pay a single shilling towards the public service. And even in this richer island from one end to the other the people were groaning under the intolerable load of taxes. And in this time of distress and misery, was it for the Commons to come forward to gratify the Crown and the ministry, to saddle the people with still greater burthens, to defray expenses which there were other legitimate means of meeting? If the House did this, they would draw down more disgrace upon their character than any House of Commons in England had ever been overwhelmed with [Hear, hear!].

Mr. *Huskisson* contended, that the right hon. mover had founded all his argument on the assumption that we were going to relieve the ordinary revenue of the Crown of 255,000*l.*, which it was very well able to bear, and that the casual revenue of the Crown should be taken under the control of parliament. But this, from the nature of the fund, was absolutely impossible. The right hon. gentleman had made out no case at all; for undoubtedly it was better to follow that course of proceeding which worked its own way, than any ambiguous words in an act of parliament. Unless the right hon. gentleman was prepared to argue that the House had relinquished its functions of supervision, he wondered he should propose such a measure. As to the alleged waste of the droits, it had appeared that a very considerable sum had been contributed from them to the public exigencies. Upon this subject he had been led to consult the Journals, and from thence he was enabled to state what was the expenditure in the 4th and 5th classes during the last eight years of the reign of George 2nd, and the first eight years of the reign of George 3rd. The House was aware that the sum now proposed under the 4th class was 234,000*l.*; but in the year ending January 5, 1753, it was 276,000*l.*, and the average of the eight years preceding 1760 was 234,000*l.* Under the fourth class, the annual expenditure in the eight years before the accession of his present majesty was 110,331*l.* During the eight first years of the reign of George 3rd, the average charge under the fourth class was 225,000*l.*, and under the fifth class 106,000*l.* It appeared, therefore, that the sum now proposed was less than had been expended fifty or sixty years ago, although the salaries, annuities, pensions, and other charges had been much augmented. What, then, was the object of the amendment? It was to disseminate through the country a gross misconception; for he would venture to assert that no notion was ever more mistaken, than that there had been a lavish or unnecessary expenditure in the civil list. The patronage of the Crown had also been diminished in the same, or in a greater proportion, by the abolition of offices, not amounting in number to less than sixty. He maintained that the bill for the regulation of the civil list was inexecutable, but that the greatest attention had been paid to economy, and no inquiry had been made in the House that had not been followed by an endeavour to reduce the expenditure. Some advantages formerly allowed to the younger branches of the royal family had been taken away, and the loss was to be made good out of the sum at present required. The regulations respecting foreign ambassadors had no less tended to diminish the sum which the people had been called upon to pay. He trusted that parliament would not attempt to interfere with the vested rights of the Crown, and he defied any member to prove the existence of a lavish expenditure. He did not object to inquiry, for he was convinced that the more the subject was investigated, the stronger would be the conviction of the country that there was no real ground for complaint.

Sir *Francis Burdett* said, that it would be impossible to follow the hon. gentleman through the details into which he had entered respecting the expenditure of the civil list in the last years of the late reign: it was sufficient to remark, that whatever the disbursement might be, it contributed to the splendour of the Crown, and to the honour of the country: and that the diminution of that splendour and dignity, for the gratification of individual caprices, was at least a false principle of economy, if indeed any saving were produced by it to the people. The hon. gentleman who last spoke had, as usual, said much about parsimony and efforts at retrenchment, but it was generally found that the result of those efforts was, that the nation had more to pay. It was not a little difficult to comprehend the assertion, that the civil list was not competent to the expenditure; and when parliament was required to make good the arrears, it was necessary first to consider how far the people were competent to supply the deficiency—how far they were able to support the burthens already oppressing them, with the addition to be made under the newly invented scheme of economical expenditure. It was a question of much doubt what legal right the Crown possessed to these droits, since, by Magna Charta, it was provided, that foreign merchants should have free ingress and egress, and that on the breaking out of a war, though they were attacked, they should enjoy the privilege of safety for themselves and their property. How, then, could it be legal for the sovereign to seize their shipping in our ports, on an unexpected declaration of war? Was it not holding out a premium to the Crown to commit acts of robbery and piracy upon the fleets of unoffending nations? The earliest attempt of the kind (fortunately unsuccessful) was in the time of Charles 2nd, who endeavoured to possess himself of the Smyrna fleet, but it had since become the accustomed practice. The sum thus obtained sometimes amounted to millions, and such an enormous unappropriated fund the Crown ought not to be allowed to possess without the control of parliament. The civil list act, which took away all the hereditary revenues of the King, on giving an equivalent, did not except these droits; and it was plain, from this and other circumstances, that the Crown had no legal right to them. The noble lord had admitted that the King held this money as the trustee of his people: for the benefit of his people, therefore, the king was bound to act, and the droits must be subject to the control of those who were the representatives of the people. The difference between the noble lord and the right hon. mover was this, that the latter wished for the interposition of the House for the purpose of directing in what way this money should be applied, while the former was anxious to be allowed to spend these immense sums in any way caprice might dictate, and then ministers threw themselves on what they called their responsibility. The noble lord had asserted that no proof had been given of any misapplication; that the money had been devoted to making provision for the younger branches of the royal family, and to other laudable purposes. Were the Prince Regent, the duke of York, or the duke of Clarence the younger branches; or were there not others—younger branches, their juniors, who, for political reasons, for some unaccountable dislike (for which reason, and for their merits, they had much risen in the confidence of the nation) were invidiously excluded from a due share in the benefit? By such means the princes of the blood, instead of being mighty and independent peers of parliament, were subjected to the will and pleasure of the minister of the day. If the Crown had a right to dispose of 200,000*l.*, it had an equal right to distribute the whole four millions among its favourites. It was high time, therefore, that this subject should be put upon its proper footing, and that the droits of admiralty should be devoted to reimburse the losses of our own and foreign merchants on the breaking out of a war, and to reward those who were employed in the defence of the country, instead of being applied to the payment of all kinds of fantastical furniture. No money could have been more misapplied than that which was expended on the pavilion at Brighton—it ought to have contributed to the dignity of the nation, not merely to the luxury of the Prince. The excuse of the noble lord, that the furniture was the property of the people, was ridiculous and only proved that ministers were troubled with a few mental misgivings. The last speaker had talked of the suppression of sixty inferior places; but that was not the fit mode of evincing a spirit of economy. It was not in the dismissal of persons who held menial situations, who depended upon them for their support, nor in the diminution of that royal hospitality which in former times had added lustre to the throne, that true economy consisted, while all kinds of paltry extravagancies (paltry he meant only as to the objects, not as to the amount), by which the national character was degraded, were allowed and encouraged [Hear, hear!]. It would require a long habit of credence to official assertion, before the noble lord obtained belief for his statements in any place but the House of Commons [Hear, and a laugh!]. An audience elsewhere would be very much inclined to reply merely by laughing in the noble lord's face. It was not economy to put down a number of small places, and the next day to create a great place instead. As to the responsibility of ministers for non-obedience to the existing law, the hon. gentleman who spoke last had fairly avowed, that the act formerly passed for the regulation of the civil list could not be executed, and that ministers had not attempted to comply with its provisions. Was it to be endured that such language should be employed to those who had passed the bill, and had said it was fit that it should be executed? The consequence of setting that measure at nought had been, that new arrears were incurred; and at a time when every private individual was reducing his expenditure in proportion to his diminished income—at a time when the lower orders were in a state of the utmost want—parliament was to be told that the Crown was not to be confined in its expenditure, that arrears to any amount might be incurred, and that out of the pockets of the distressed people those arrears must be made good! The amendment of the right hon. member was most moderate, and calculated to meet the approbation of all men who were allowed to think for themselves. It required only, that the House should control prospectively, instead of retrospectively, upon the responsiblity of ministers. Great abuses had existed, and the correction of those abuses was the object of the proposition.

Mr. *Huskisson* explained, that he had not said that the civil list bill could not be executed.

Sir *F. Burdett* added, that the word employed by the right hon. member was, that it was inexecutable; and if it meant any thing, it was that the act could not be executed.

Mr. *C. Long* was very much surprised at the nature of the amendment moved by the right hon. gentleman opposite. It had often been his fortune to have conversations with him on the subject of the civil list, and certainly they generally differed very much in their sentiments with respect to it; But if there was any one principle with respect to it on which they agreed, it certainly was on the principle of the present bill. Indeed, the enactments of the bill now before the House provided exactly for the arrangements which the right hon. gentleman wished to be adopted. He was, therefore, very much at a loss to know from what motive the right hon. gentleman opposed the bill, unless it was from a spirit of opposition so inveterate, that as soon as the right hon. gentleman found those sentiments adopted which he himself at one time approved, he immediately abandoned them, and thought it necessary that he should oppose the measures of ministers at all events. The amendment he thought had been by no means supported by argument, and was quite unnecessary; as by the bill the control of parliament over the funds in question was complete.

Mr. *Tierney*, in explanation, observed, that he could not suffer the question to go to a division, without correcting the misconception of the noble lord as to his object in his amendment. The noble lord seemed to think that he wished to deprive the Crown of all control over those droits. He meant no such thing. He wished, that after the rights of the captors had been secured, the droits should go to defray the expenses of the Crown in aid of the civil list revenue.

The House then divided, when the numbers were:

For the Amendment............	116
Against it	230
Majority	114

List of the Minority.

Abercrombie, hon. J.
Althorp, viscount
Anson, sir Geo.
Atherley, Arthur
Acland, sir T.
Astell, William
Barham, Jos. F.
Baring, sir T.
Baring, Alex.
Barnard, visc.
Birch, Joseph
Brand, hon. T.
Brougham, H.
Browne, Dom.
Burdett, sir F.
Burrell, hon. P. D.
Bolland, John
Babington, Thomas
Barclay, C.
Calcraft, John
Calvert, C.
Calvert, Nic.
Campbell, hon. J.
Campbell, gen.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Caulfield, hon. H.
Carew, R. S.
Chaloner, Robert
Cocks, hon. J. S.
Duncannon, visc.
Dundas, hon. L.
Dundas, Charles
Elliot, rt. hon. W.
Ellison, Cuthbert
Fane, John
Fellowes, W. H.
Fergusson, sir R. C.
Foley, Thomas
Folkestone, lord
Grattan, rt. hon. H.

Gordon, Robert
Grenfell, Pascoe
Guise, sir W.
Grant, J. P.
Hammersley Hugh
Hamilton, lord A.
Horner, Francis
Howorth, H.
Knox, Thomas
Lamb, hon. W.
Lambton, John G.
Lefevre, C. Shaw
Lemon, sir W.
Lewis, T. F.
Lloyd, J. M.
Lyttelton, hon. W.
Latouche, Robt., jun.
Lockhart, J. I.
Long, R. G.
Leader, Wm.
Mackintosh, sir J.
Martin, H.
Martin, John
Milton, viscount
Monck, sir C.
Moore, Peter
Morland, S. B.
Mostyn, sir T.
Morpeth, lord
Morritt, J. B.
Methuen, Paul
Neville, hon. R.
Newport, sir John
Nugent, lord
Newman, R. Wm.
Osborne, lord F.
Ossulston, lord
Parnell, sir H.
Peirse, Henry
Philips, George
Piggott, sir A.
Ponsonby, rt. hon. G.
Powlett, hon. W.
Prittie, hon. F. A.
Pym, F.
Power, Richard
Ramsden, J. C.
Rancliffe, lord
Ridley, sir M. W.
Romilly, sir Sam.
Rowley, sir Wm.
Russell, R. G.
Rashleigh, Wm.
Sefton, earl of
Sharp, R.
Shelley, sir John
Smith, George
Smith, Abel
Smith, John
Smith, Wm.
Smyth, John H.
Stanley, lord
Sebright, sir J. S.
Tavistock, marquis
Tierney, rt. hon. G.
Townshend, lord J.
Tremayne, J. H.
Waldegrave, hon. W.
Walpole, hon. G.
Wharton, John
Williams, Owen
Wynn, C.
Warre, J. A.
Wortley, J. S.
Wright, J. Atkins

TELLERS.
Fremantle, W.
Macdonald, J.

HOUSE OF LORDS.

Monday, May 27.

ABOLITION OF SINECURE OFFICES]. Earl *Grosvenor* rose, pursuant to notice, to move for a committee to inquire into the state of the public offices with a view to ascertain what offices might with safety be abolished, regulated, or consolidated with other offices. He had hoped that his motion would not have been opposed by the Prince Regent's ministers, but he was given to understand that, either by a direct negative, or by moving the previous question, they were determined to get rid of the motion of retrenchment and economy which he was now about to submit. He had seldom offered himself to their lordship's attention under feelings of greater anxiety than he felt at present. When he considered the various details and difficulties of the subject, and the obstacles so often thrown in the way of civil reforms, he was almost ovewhelmed with the magnitude and importance of the question; and the more he thought upon it, the more he was convinced that it was a proper matter for a committee, and far beyond the powers of a single individual. Many considerations, however, influenced him to bring the subject under their lordships notice. Whether he considered the state of our finances, or the distresses of the country, he could not but think it of the highest importance in this way to bring the subject of retrenchment and economy under their lordships consideration, especially as he felt no great confidence in the sincerity of the ministers, when in the speech from the throne they recommended economy. He seldom troubled their lordships: for some years past he had hardly ever addressed them, except on this subject; but now he must carry them through a long and dreary waste of useless offices, with dismal prospects, and a pestilential atmosphere. It was unnecessary for him to state generally, that economy and retrenchment were highly desirable: in that proposition all would concur; and if any of their lordships ever felt any doubt about it, the petitions which had come up from every part of the country must have convinced them that the time for retrenchment and economy was now come. The situation of Ireland, too, was a strong additional argument for a serious attention to this very desirable object; as the plan for consolidating the British and Irish exchequers, though a very proper one in itself, must bring a considerable additional expense on this country. When so many were emigrating for purposes of economy, and the distresses of the country were so great, he repeated that the time for setting really and seriously about economical reform was now come. The estimates for maintaining a very large military establishment had unfortunately been voted, which was the first comment of the ministers upon their own speech in favour of economy and retrenchment. These estimates, by the proper spirit which the country had evinced on the subject of the property-tax had been considerably diminished; but still they were of enormous amount, and proved the necessity for inquiry with a view to retrenchment. A time of peace was the proper period for such an inquiry. It had always been contended, in opposition to motions of this kind before, that a time of war was an improper period for discussions about reform. That argument, however, was at end. We were now in a state of profound peace—in a state in which peace might, with tolerable prudence, be made to continue for some length of time. Whether France could long continue at peace must depend on the prudence of its rulers. He had always considered the restoration of the Bourbons as the best means for consolidating the peace of Europe; but he had expected this from their restoration under a free constitution, and not from the re-establishment of the Bourbon family in their former unlimited power. He was rather disposed to think that the king of France himself was convinced, that in order to give stability to his throne, it was necessary that France should have a free constitution; but he knew that there were persons about him who were of a different opinion; and if that opinion were acted upon, the consequence would be a reaction, and further wars. He was not jealous of the liberty of any nation. He wished that, under the blessing of God, all nations might enjoy a free and happy constitution like that of this country, and he hoped that in time all Europe would have that advantage, but if the king of France should listen to the pernicious counsels of some persons near the throne, and refuse to adhere to his oaths, and if he were to act upon that unhappy system which prevailed in Spain, then, indeed, he should feel strong doubts as to the stability of Bourbon authority, and the continuance of peace in France. But, at all events, whatever should happen on the continent, peace might with common prudence be for a considerable time preserved for this country, and therefore this was a most proper time for discussions on the subject of economical reform. He had now been for some years advocating the cause of retrenchment and economical reform. He had no share in the merits of the administration of 1806; but he could not help feeling great obligations to that administration for their attention to this subject, and for the appointment of the finance committee. He had often been taunted in that House with the question—What had that committee done? His answer was, that it had afforded much valuable information; and if it had not done more, it was not the fault of the committee. It would have done a great deal if their lordships had permitted it. Every proposition made by that committee, had been strangled by their lordships in its birth. Bills had been brought into the House of Commons, and passed there—had come up to their lordships, and had been rejected. The reversion bill had passed the Commons, but their lordships had rejected it. The sinecure bill had been there passed by a very great majority, but here it had not been allowed even to go to a committee. They could not begin the business of reform better than by considering themselves as in the situation of a person who had so reduced his fortune by his extravagance that he could hardly pay the interest of his debt. Suppose a person engaged for twenty-five or twenty-six years in a chancery suit, and coming out of it triumphant, but totally ruined—suppose he had his steward, his chamberlain, and a variety of other useless servants, his plan would be to dismiss them, and to retrench. The nation was in this respect like an individual, and ought to follow the same method. As to the sincerity of the ministers in their recommendation of economy, their attempt to keep up a war revenue in time of peace was a pretty good specimen of it. Happily the spirit of the nation had in some degree checked that attempt. But it now appeared that there was a great surplus revenue of upwards of two millions—a circumstance which had been kept out of view when the property-tax was under discussion. That tax, however, had fortunately been rejected by a decisive majority. He had drawn up a list of sinecure and other places which appeared to be proper subjects of abolition, regulation, or consolidation with other offices; and that list he would refer to the committee, if their lordships should think proper to appoint one, that the committee might judge of it. The noble earl then read from his list the names of a variety of offices—the justices in eyre, auditor of the exchequer, clerk of the pells, paymaster of marines and others; and then adverted to some sinecure places in the home and war or colonial departments, which were not only unnecessary, but illegal. These offices had been created by the heads of the departments—for instance, the office of legal adviser, held by Mr. Stephen; whereas no new offices could legally be created, except by act of parliament. He had no doubt but the committee would discover a variety of useless offices which had escaped his attention, and a great saving might accrue to the public from the result of its investigations. It had been contended that these sinecure places were useful, inasmuch as they afforded the means of rewarding merit; but the fact was, that they were very seldom, if ever, used for that purpose. He would next call the attention of their lordships to the increase of salaries made during the last year, though it was a year of great and peculiar distress; and if he did not now dwell on the enormous increase in the civil list, it was only because another opportunity would soon arise for discussing that question. It would then be seen that a new office of 1,500*l.* a-year had been instituted, though it was utterly unnecessary. The noble earl opposite had himself acted in such a way as, in the better times of the constitution, would have subjected him to impeachment and to punishment: for he had undertaken, of his own motion, to supply the wants of his royal master with 70,000*l.* of the public money. He had understood that the motion which he was about to make would be met by the observation, that a commission was already appointed to investigate all these matters. This commission, however, though its members were no doubt respectable persons, yet consisted entirely of the minister's friends—that is, the judges were the friends of the party to be judged, and appointed by them. What would be said if in a suit at law one of the parties should have the power of making its own solicitor and advocate the judges of its cause? And yet it would be as reasonable to expect impartiality in this case as in the other. How would this commission of subalterns proceed against their superior officers? How would they be treated, if they should take the round of the government offices, and tell each of them in turn that they were unnecessary? Their superiors would either not deign to answer them at all, or perhaps would tell them, with a laugh, that if those offices were good for nothing else, at least they encouraged the breed of young politicians. All these things, he submitted, were fit subjects for inquiry; for if they continued in their present state, he feared that we should soon arrive at that dreadful crisis so eloquently described by the Roman historian, when we could neither bear our vices nor the cure of them—"Ad id flagitii nos lapsos esse, ut nec vitia nec remedia pati possumus," The noble earl concluded by pronouncing an eulogium on the character of the prince of Saxe-Cobourg, who, it was understood, had honourably declined a peerage, that he might not in some measure be compelled to mix in party politics. He trusted that the illustrious prince and his royal consort would, above all things, take care to live within the income which parliament had provided for them. The noble earl then moved, "That a committee be appointed to consider what places and offices may be abolished, consistently with the public safety."

The Earl of *Liverpool* observed, that as to the general principle of the motion just made, there could be no difference of opinion, but he should think it unwise to accede to it, because it would hold out expectations to the public which could not be fulfilled. The noble earl had entered upon so wide a field, that he could only follow him through some of his details. As to the new arrangements connected with the civil list, a Bill on this subject would soon be before their lordships, when he should think it his duty to enter upon the fullest explanations. The abolition of sinecures appeared to him to be a matter of at least very doubtful policy. It was true, that a parliamentary committee had in the year 1807 recommended such abolition; but if any bill had been brought in on the subject, he should have given it his decided opposition, for he was certain that it would have tripled, nay quadrupled, the expenditure which it was intended to diminish. The fact was, that there was no country where the salaries of great officers were so small, or had been so little augmented, as in this country. Let any one look at the last fifty years, and compare the increase of salary with the increase of price in every article, and he would be convinced that the rise of official salaries had been less than any other rise. There had been many instances of persons totally ruined in fortune by the public service; and indeed such must be the case, unless the public officer had a reasonable private fortune. The noble earl had alluded to offices performed by deputy, but he seemed to have forgot that an act of parliament had been passed which rendered it obligatory in all future colonial appointments that no person should be appointed, unless he goes out and resides. The question of establishment might be divided into two heads, the old and the new. With respect to the former, he should not recommend their abolition, unless a very strong case of abuse could be made out, nor did he think that such a measure would be advisable, even on the score of economy; for if the subject were looked at in all its branches, it would not be found easy to conduct the public business on a cheaper scale. As to the establishments which had sprung up with the war, he thought them a very proper subject for consideration: if they could not be proved to be economical or absolutely necessary, they ought to be abolished. But yet the investigation of this matter belonged to the government: it was for the executive to originate inquiry, and then, as in duty bound, to lay the result before parliament. This principle had been recognised very lately by the other side of the House, when they called upon their lordships to address the Prince Regent that his royal highness would revise the army estimates. The principle surely was more particularly applicable to the investigation of the great branch of official services, because government only could supply the necessary information. The commission appointed by the executive, consisted of most respectable persons; and though it was objected that they were friends of the ministers, yet it should be recollected that their report would be laid before parliament, and parliament would decide on its merits. Parliament, therefore, should wait the result of this investigation, which government were so willing to institute, and which therefore rendered the present motion quite unnecessary. Under this view of the case he should move the previous question.

The Marquis of *Lansdown* insisted that the noble earl had given very insufficient reasons for moving the previous question on a motion which was loudly called for under the peculiarly distressed circumstances of the country. The motion did not prejudge the question, but merely rested on the *primâ facie* ground that great augmentations had been made in all branches of the public establishments. Where should the people look for the means, the integrity, the courage, necessary to conduct a satisfactory inquiry, unless they looked to parliament? Parliament had been the engine for inflicting those great and grievous burthens, which, whether necessary or not, had been borne with the utmost patience; and to parliament, therefore, the people must look for alleviation; nor could they be expected to rest satisfied on the *ipse dixit* of any minister, that such or such an office was necessary. It had been generally admitted, that the principle of sinecures could only be advocated on the ground of rewarding public services, and he was perfectly ready to agree that it would be detrimental not to provide for those who had served the state, yet, allowing all this, he must still maintain that it was a very fair question, whether these sinecures had been duly applied to the purposes for which it was said they were designed. Even though it should be allowed (which he was by no means disposed to allow) that sinecures were the best means of rewarding public men, still it might be considered whether they might not be better regulated. It was pretty evident that many of them might be better administered than at present; and as an illustration, he would direct their lordships' attention to a sinecure lately vacant by the death of a noble friend of his, the earl of Buckinghamshire. That sinecure had been worse than useless, for it had served as a screen to the most shocking abuses, and the most abominable frauds. It was not to be expected that the late war should have been brought to a conclusion without creating new offices, or augmenting the emoluments of those already in existence; but when peace was concluded, it became parliament to inquire into the propriety of continuing places that war only rendered necessary, or diminishing the salary of those whose duties were diminished in consequence of a new state of things. Many such offices had been created or increased in emolument, and the examination of them was proposed by his noble friend. But he did not depend upon general inference—there might be an appeal to facts: accounts were required to be laid before parliament every year since 1807. Every year we found additional offices or increase of salaries; and the continual justification of both was, that war required a greater degree of vigour, or a more extended expenditure. We had now attained peace—the duties of office were reduced—the expenses of living were likewise reduced—all former grounds of justification or apology were removed—but what was the consequence? Our expenses had been in some departments reduced 70,000*l.*, but in others raised 200,000*l.*; so that peace, instead of generally lessening our burthens, had increased them upon the total amount. But the noble earl contended, that there was no necessity for any parliamentary inquiry into the propriety of these charges, as government had already appointed commissioners of its own to examine into all practicable reductions. This committee could not enjoy so much of his confidence as to supersede in his opinion the necessity of parliamentary investigation. When was this committee of government appointed? of whom did it consist? and what was the extent of its powers? On the 2nd of April notice was given of the intention of ministers to inquire into the practicability of reductions, and on the 5th the commission was appointed and instructed. This was the first time we had seen any effective resolution of government to redeem their pledge of economy. It did not occur to ministers in the course of the winter that any thing could be done for the public; but when a parliamentary investigation was threatened, then their economical labours commenced. They appointed a commission of their own friends, who agreed to enter on their duties at eight and forty hours notice. They sallied forth in their enterprise, armed with ministerial authority, and promised to save the exertions of parliament by fulfilling its functions. It appeared, however, that their ability was not equal to the wishes they expressed, or the promises their friends held out. They were new practitioners (he meant nothing offensive to the individuals) and unacquainted with the extent of the duty they had undertaken; and the consequence was, that in two months they had done nothing. A commission had been appointed to inquire into the state of the civil list, under nearly the same circumstances, with the same powers, and its labours had been attended with the same inefficiency; but although government had appointed more active and more efficient commissions than it had done, it became parliament not to depend upon the result of their investigations. No other prospect could be enjoyed of an alleviation of the public burthens. By reducing the public burthens we might save the nation from some of the ruinous measures to which it was forced to resort for raising the necessary revenue. The connexion between the government and the bank of England, which was one of those impolitic and dangerous expedients of procuring money, might have been prevented by more economical measures. The noble earl had expressed his approbation of the bank restriction, and he would no doubt sanction that measure by which 25 per cent. was added to the capital stock of the bank, upon the condition of the loan of three millions, which was clogged with stipulations that would remove farther the term of cash payments. The other advances on former occasions from the bank had been made in exchequer bills, and had produced no change on the currency of the country; but the present loan was made in such a way as must either throw a greater quantity of bank paper into circulation, or force the bank to diminish its discounts, and thus embarrass the trade and the commerce of the nation. The increase of bank stock had increased the gains of this corporation, and had made them, since the restriction act passed, amount to 23 millions. Something should be done to reduce our establishments, our offices, our expenditure. He could not say to what extent reduction could be carried; but if an attempt to introduce economy was made, it would do much to calm the minds of the people, and to establish the confidence of the country in the wisdom of its legislature. Distress as was known to their lordships, had excited disturbances in some populous districts; the multitude had been excited to tumult, and to the commission of acts of atrocity; it had been deluded with respect to its own interests, and had proceeded in courses that tended to its own destruction. It might be the duty of some of their lordships, in the exercise of their official duty, to explain to the misguided people the source of their delusions, to enforce the principles of good government and civil order, to restore them to contentment and peaceful habits. What accession of influence would their lordships gain for the discharge of these important duties, if, in addressing their misguided countrymen, they could show to them, that as legislators they had been attentive to their interests, that they felt for their distresses, and had endeavoured by judicious economy to alleviate their burthens! The noble marquis concluded by saying, that in delivering his opinions on the present occasion, he conceived himself discharging his public duty; that he could not give a silent vote in the circumstances in which this motion was brought forward; and that he would support it, as he concurred in its objects.

The Earl of *Harrowby* believed, that on all sides it was admitted that some new offices should be created during the war, and that others should be increased in salary as they had increased in duty; but it was not necessary for parliament to inquire into them for the purpose of gaining information concerning them, as a statement of their number and emoluments was every year laid on the table of the House. A commission, too, had been appointed by government, as stated by the noble marquis, in April last, to inquire into the practicable reduction of all places so circumstanced; and the question was, whether the House, disregarding what government had done, or unwilling to wait the result of its measures, should proceed immediately to interrupt the labours of its commissioners, and to take the investigation into its own hands? The noble marquis complained, that government was tardy in appointing this commission, and that it took no steps towards this end, till impelled by the terrors of parliamentary investigation. This was not consistent with fact. The intention of appointing a commission of inquiry had very early been manifested. A circular had been addressed to the different departments ordering them to prepare such information as they could furnish concerning the reductions that might be effected in them without detriment to the public service. Offices created during the war, and for discharging duties that the war only imposed—offices previously existing, that received material augmentations in consequence of duties that would cease with the war, should all be examined, and abolished or modified. This was the principle upon which the government commission would proceed; and if they did so, there was no necessity for the immediate interference of parliament. He would therefore support the previous question on the noble earl's motion—not because he thought retrenchment unnecessary, but because the means for accomplishing it were actually in operation. With regard to sinecure places, he thought that they had nothing to do with an immediate saving to the nation. The question here was, not whether we could retrench so much of our present expenditure by abolishing sinecures, but whether sinecures were the best mode of paying public service, or rewarding signal merit. It rather involved considerations of expediency than views of economy; and, by entertaining inquiry, no prospect should be held out that the result of it would lead to any relief from the burthen of taxation.

The Marquis of *Buckingham* rose to express his astonishment at the unconstitutional language he had just heard. He had heard, for the first time within the walls of parliament, that the duty of inquiring into and economizing the money which parliament voted, and which the people paid, was vested in ministers, and not in parliament. He was told, for the first time, that it was their lordships duty not to consider the offices which might be abolished, not to investigate into the manner in which public money was expended, but to wait with patience for the result of those inquiries which a ministerial committee was now making. Was language like this agreeable to the principles of our venerable constitution? However pleasing it might be to some, he, for one, entered his solemn protest against it; and assured their lordships he would uniformly protest against it. Important as this point, in which he opposed the noble earl might be, he carried his opposition further, and he begged their lordships to look to practice. He begged their lordships to go no further back than even the present session. Let them examine the splendid professions of ministers; let them examine the disinterested motives by which they had professed to be actuated for the public advantage, and the repeated promises of economy they had made. He appealed to the commencement of the session, and to the pledge which ministers had given in the speech from the throne, that every economical measure should be adopted. Let their lordships compare these professions with the practice of ministers, and they would see that even those comparatively small retrenchments which had been made, had been forced on ministers by the unwearied exertions of members of parliament, in unison with the wishes and voices of the people of England. He defied ministers to point out one single thing they had done, one single measure of economy they had taken, to which they had not been driven by parliament. He defied any man to select a single proof which ministers had given to the country of their being sincerely disposed to be economical. No doubt reductions to a certain extent had been made, but the country had a right to claim to itself the sole merit of such reductions, as ministers had made them reluctantly. Let their lordships do their duty. Let them press on ministers the necessity of economy; and unwilling as ministers were to be economical, reluctant as they felt to be careful of the public money, they would be compelled to become so. He should support the motion of his noble friend.

Lord *Calthorp* considered parliament to be indispensably bound to attend to the reduction of unnecessary offices; and certainly thought, however qualified ministers might be, that parliament were the best judges of economy.

Earl *Grosvenor* shortly replied, observing, that while in every department reductions were necessary, he by no means wished the public servants to have no reward. He was always disposed to give sustenance to the bee, but he wished none to be given to the drone.

Their lordships then divided:—Contents, 24—Non-Contents, 62.

HOUSE OF COMMONS.

Monday, May 27.

IRISH MASTERS IN CHANCERY.] Mr. *Leslie Foster* said, it was with extreme reluctance that he troubled the House on any subject personal to himself, but he found he had been held so responsible for a speech delivered by him in parliament, as to make him feel it his duty to take this notice of it. He alluded to memorials presented by the masters in chancery and six clerks to the lord chancellor of Ireland, containing very heavy complaints and charges against him on account of a speech which, as member of a parliamentary commission, and as a member of this House, he had been called on to make respecting the fees of officers in the courts of justice in Ireland. Had these memorials been confined to the eye of the lord chancellor, he should not have mentioned them in this place, but they had been printed and sent into extensive circulation, and, indeed, the memorial of the masters in chancery had been sent to him (Mr. Foster), for the first time in its printed form, without even the courtesy of previously inquiring from him, whether the expressions and statements at which these officers had taken so much offence, might not have originated in the errors of the newspaper reporters. It was not surprising, on a subject of such a nature, involving figures and technical details, that rates and sums should have been mistaken, that what he had said of one office should have been applied to another, and that statements should have been generalized which had been expressed with qualification. He collected from several quotations in the memorial, that all this must have taken place in an unusual degree in some of the reports from which the masters had extracted their information. In fact he had said very little either of masters in chancery or six clerks, and absolutely nothing that would warrant them in charging him as they had done with having imputed to them corruption, or collusion, or fraud, or extortion. He trusted he had used no harsh, or illiberal expressions in speaking of any officer whatever; and as far as these officers were concerned, the whole tenour of his statement was to impress, that the unreasonable and disproportionate charges, which he must repeat existed in their offices, were the result of a long and gradual accumulation, both of rates of fees and of rules of practice, not imputable to the present officers, but the work of their predecessors: that for the purpose of their official emolument, in past, but not very distant times, orders of court had been perverted, and rules of practice had been invented, equally irreconcilable with the ends of justice and the suggestions of common reason. That the operation of taxation in the way it had been exercised, had proved itself to contain no sufficient principle either of prevention or of cure, and that the commissioners of inquiry had felt it their most important duty to unravel the nature and history of those operations, and to submit the details of regulation by which they are of opinion a reform might be effected. I have only (continued the hon. member) to add my wish and request, that the House should not think of adopting any proceeding founded upon this statement, which I have felt it due to the parliamentary commission which I have the honour of holding to make in this place, and due to the dignity of this House, of which I have the honour to be a member, and due to the personal character of the officers who have been so far misrepresented, and for whom, as members of society, I have always felt perfect respect. I shall not repeat the expressions of this memorial, particularly of the concluding part of it, because it would be hardly consistent with the wish I have expressed, that the House should, at least for the present, take no further notice of it. I shall now merely add, that no private resentments of individuals, be they whom they may, nor any public denunciations by persons holding official situations, shall ever deter any member of our commission, nor I trust any member of this House from pursuing the straight course which lies before us for the correction of so enormous an evil as the unattainability of justice; and that while no man can regret more deeply than I do the necessity of making disclosures degrading to its administration, I feel that to be still a subordinate consideration when it becomes the necessary preliminary for effecting its reform.

The *Speaker* asked if the House was to understand, that the hon. member did not intend to call on them to interfere respecting any breach of privilege.

Mr. *L. Foster* replied that he should perhaps feel himself justified in so doing, but he did not wish to do it.

Spanish Patriots.] Mr. *Horner* adverted to what had taken place on a former occasion respecting the imprisonment of some of the Patriots of Spain, when an address on the subject to the Prince Regent had been moved. It was then stated from the other side of the House, that nothing should be wanting in endeavours to procure their relief. He believed that no time was lost by ministers in making their application, and that several of these unfortunate persons had been released; but there was an instance of exception that appeared to him very particular—that of Don Diego Correa, who had himself with his two sons fought with the patriots of Spain against the invading French armies, and they were all three wounded. He knew that he had not been released with the others, and was still confined at Ceuta. What he now wished to know from the noble lord was, why an exception was made in the case of Correa?

Lord *Castlereagh* said, that when the subject was last introduced, he had stated that he had made a renewed application respecting those who were then in custody. The success of that application he could not at that time communicate; but he had now the satisfaction of stating, that he had received dispatches from his majesty's ambassador at Madrid, informing him, that in consequence of the representations he had made to the Spanish court, the individual alluded to had been liberated.

The Budget.] The House having resolved itself into a committee of Ways and Means, and the proposal of the governor and company of the bank of England for advancing the sum of three millions sterling for the public service, having been referred to the said committee,

The *Chancellor of the Exchequer* said, that in rising to submit to the committee the general provisions which he had thought it necessary to make for the service of the year, he found it impossible to disguise the fact, that the proposition with which he should conclude, grew out of the circumstance of the House having judged it wise to take a course different from that which he had thought it his duty to recommend. The nature of the arrangements for the service of the year were necessarily much altered by the rejection of the property tax; but whatever pain he might feel that the House had determined against that line of conduct which in his opinion would have been most beneficial to the country, it was nevertheless his duty to bow to their decision, and to submit to them the ways and means which remained for meeting the supplies necessarily demanded for the service of the year. He should do this with the most sincere desire that the result might be such as to leave the House nothing to regret. He should explain the reasons which had influenced him in making those arrangements, which, under existing circumstances, he thought most advisable, and furnish that general view of the subject, which, indeed, without a dereliction of his duty he could not omit, and which, from the situation he had the honour to hold, he might, perhaps, be thought more competent to supply than any other person. In doing this, he had the satisfaction to know, that the statement he should have to submit to the committee would be upon the whole consolatory, as he should not be under the necessity of presenting to them any discouraging view of the state of public credit, and as the country was amply possessed of the means of meeting that expenditure which the public service demanded.

Before he proceeded to take a general view of the supplies and ways and means of the year, it would be proper for him to call the attention of the committee to the more immediate object of the resolutions which he should have the honour to submit to them, which arose out of a proposition communicated to him in a letter which he had received from the bank of England, and which had been laid before the House. For the course pursued in this instance two precedents had occurred within no great distance of time from each other. One was the proposition made by the bank, June 13, 1781, concerning the renewal of their charter, which had been referred to a committee of ways and means; and the other was a communication, dated Feb. 19, 1800, respecting the advance of a sum for the public service, connected with a similar proposition for the extension of the charter for a further term of years, which had been disposed of in a similar way. The first resolution which he should have to move was, that the committee should approve and accept the proposition of the bank of England, for granting an advance of 3,000,000*l.* at three per cent. interest, accompanied with a condition, that the corporation should be permitted to extend their capital by an addition of one-fourth, or 25 per cent., with a further proposition that their promissory notes should continue to be received in all payments made on account of the public revenue. The permission which it was in contemplation to grant them, allowing them to augment their capital, which was at present fixed at about eleven millions and a half, to between 14 and 15,000,000*l.*, was, in truth only allowing them to divide something less than 3,000,000*l.* of their own money among their proprietors, on condition that that they should advance the sum of 3,000,000*l.* for the public service, at an interest of three per cent. This was an advantage of considerable importance to the public. When it was necessary that money should be borrowed for the nation, it was not to be doubted that it was no inconsiderable benefit to be enabled to obtain so large a sum as 3,000,000*l.* paying only three per cent. interest. It was only necessary to consider whether this proposition was accompanied with any condition that could be viewed as objectionable. The principal subject for consideration was the proposed augmentation of the capital. To him, this appeared not only free from objection, but that which was in itself very desirable. Since the capital of the bank was fixed at eleven millions and a half, a great increase of bank paper had taken place; it was therefore proper that their capital should be increased, to give the holders of their notes additional security. Such an augmentation of their capital as they now of themselves proposed, he was of opinion, if not necessary, was at least as desirable for the public as for the bank. If this was, as he considered it to be, advantageous for the public, he did not see that any objection could be made to the mode in which the bank proposed to employ that sum. If the corporation had (as it had been said they had) a large sum of undivided profits in their hands, he did not know that they could do better than divide it among their proprietors on equitable terms, and add it to their capital.

The second condition which accompanied their proposition, was, that the bank promissory notes should continue to be received in payment at the exchequer. It was well known that for many years their notes had been received in payment, and he doubted not they would have continued to be so taken, if this arrangement had never been proposed. But it appeared to him it would be an advantage in the event of the resumption of cash payments, as well to the public as the bank, to guard against any thing like a run upon the latter immediately on its opening. Feeling this, he should certainly in any case have proposed that their notes should be received for a certain time after the resumption of cash payments. Such a measure he should have held to be necessary, to guard against any traffic on the part of the minor agents of the treasury (though perhaps this was little to be feared) being carried on of an improper nature, who, without such an enactment, might possibly have demanded payment in gold, for the purpose of making a profit, by turning it into paper whenever the exchanges might again become unfavourable. He did not know that any inconvenience would be likely to arise from receiving bank notes at the exchequer, till the present charter of the company should expire. If however, it should be desirable that they should cease to enjoy that privilege, we could put an end to it at any time, by the repayment of the advance. He himself thought there could be no objection to its continuance—for the remaining sixteen years of the charter; but if any should, contrary to his expectation, arise, the mode by repayment would, he believed, be found easy. If government, at some time should deem it expedient no longer to assist the circulation of the bank paper, it would be equitable that the security should exist till the bank was able to bring itself back to its former situation by the recovery of their loan. To him, then, the circumstances which he had stated fairly considered, the arrangement seemed to be as free from objection as any that could be submitted to parliament, or that could be devised by any minister of finance. It was to government an important consideration to obtain a loan of 3,000,000*l*., without resorting to the general money market at a time when it was most desirable to avoid all pressure upon it, and in the reduced rate of interest to be paid on the money so advanced, the public gained at least 60,000*l*. a year, exclusive of the still more important one of saving all addition to the capital of the debt beyond the money actually advanced. It offered to the bank security, and sanctioned an honourable extension of their capital, and this was highly beneficial to the proprietors. He thought it might further be observed, that what it was now proposed to sanction, was no more than that which the bank proprietors had a right to claim at some time or other: the only question therefore was as to the time, circumstances, and mode in which this should take place. On any of these grounds he did not think any fair objection could be urged to the arrangement, and the present seemed in fact as favourable a moment as could be chosen for granting that which at some future period they were entitled to claim.

He should now proceed to the more general statements of the supplies granted for the present year, and of those which would be still required. The first head was that of the army; 9,665,000*l*. was the amount for military service already sanctioned by the votes of parliament, from which was to be deducted 1,234,000*l*. for the troops in France, leaving 8,431,000*l*., including the expense for Ireland. The accounts of the extraordinary expenses of the army for the preceding year had been some time before the House, and a vote to provide for those of 1816 to the extent of about 1,500,000*l*. would be speedily proposed. The estimates of the commissariat, &c. were about 480,000*l*., from which 75,000*l*. for the army in France were to be deducted Taking the charges of the barracks at 178,000*l*., and the storekeeper general's department at 50,000*l*., the whole amount of extraordinary services would be 2,133,000*l*., and the total expense for the military service 10,564,000*l*. For the navy there had been voted altogether 10,114,000*l*., from which there was a deduction to be made of the proceeds from the sales of old stores, which amounted to 680,000*l*., leaving the charge at 9,434,000*l*. Deducting about 186,000*l*. for the ordnance service in France, the expense of the ordnance department would be 1,696,185*l*. The total original vote was 1,882,000*l*.—The pressure of public business in the House during the course of the present session, had prevented him from producing an account of the miscellaneous services. He could not just then state their amount precisely. He had on a former occasion supposed them at 2,000,000*l*. From what he had learned, he thought they would come to 2,500,000*l*. or near it. He should therefore assume it at two millions five hundred thousand pounds. To meet the India debt, and expenses incurred in India, a vote of 945,000*l*. would be proposed. This was necessary as the East India company had made pressing representations for repayment of the sums they had advanced. The advances in question had been made to forward those valuable services lately performed by our army in India in the conquest of the French and Dutch possessions. The total amount of the claim of the East India company, including the estimate of the present year had been 2,300,000*l*. Considerable payments had, however, been made by the government to the East India company, which were to be set against the sum he had mentioned. This done, there appeared to remain due to the company in January last, about a million and a half. A provision had been made for the sum of 500,000*l*. in the vote of credit for the last year, and this deducted from the debt due in January reduced the sum to be provided for in the present year to 945,000*l*., which it would be his duty on a future occasion, to bring more particularly under the consideration of the House. The general statement of the supply for the present year, compared with that for the preceding, was as follows:—

1815.	SUPPLY.			1816.
13,876,759	Army		9,665,666	
	Deduct troops in France		1,234,596	
				8,431,070
23,983,476	Extraordinaries		1,500,000	
1,099,961	Commissariat	480,000		
	Deduct troops in France	75,000		
			405,000	
99,000	Barracks		178,000	
91,600	Storekeeper-gen. to be reduced about 10,000		50,000	
				2,133,000
				10,564,070
18,644,200	Navy		10,114,345	
	Deduct Naval Stores, to be sold		679,905	
				9,434,440
4,431,643	Ordnance		1,882,188	
	Deduct France		186,003	
				1,696,185
3,000,000	Miscellaneous			2,500,000
	Indian Debt			945,491
				£.25,140,186

Having recapitulated the above items of supply, the right hon. gentleman next proceeded to state the separate charges of Great Britain. The first was for the payment of the part which had been demanded of the loyalty loan, which had been raised in 1797, amounting to 217,000*l.* A difference, he stated, might occur in these items, as well as in the miscellaneous services, between his present statement and the accounts previously laid before the House, owing to the same charges being placed under different heads, or to different dates being included in the papers. After the loyalty loan, and the debentures, and their interest, amounting to 807,000*l.*, which were the two first items in the separate charges, he came to one not immediately under the consideration of the House, respecting which notice had been given of a motion by his right hon. friend (Mr. Wellesley Pole). He meant the motion for the grant of a sum of money on account of the new silver coinage. He did not propose to anticipate the able illustrations which the right hon. gentleman would be prepared to furnish on this subject, in what he might offer on this occasion. It would easily be seen that there was no small difficulty in determining what sum it would be proper to grant for this service. He (the chancellor of the exchequer) had for a time been very doubtful whether this was a charge which ought to be borne equally by England and Ireland, or whether it was one which ought to fall on Great Britain only. Ultimately he had, however, considered, that as the whole of the silver now in circulation had been issued long before the Union, the greater part of it indeed at least a century, it was just that it should fall on Great Britain, and on no other part of the empire. It was not easy to say how much would be sufficient to meet the charge for the new coinage; but he proposed to take the sum of 500,000*l.* which he apprehended would suffice for so much at least of the charge as was likely to be incurred within the present year. None of that silver which was at present in circulation was intended to be received in exchange for that to be hereafter issued, which did not bear some appearance of having come from the mint, and this, as it would not include a very large proportion of the present currency, could not create a great expense, and at all events, a considerable time must elapse before the arrangements in contemplation could be carried into effect. The next charge was on account of a sum of 1,500,000*l.* in exchequer bills held by the bank. These had been originally issued for an advance made by the bank in 1800. The sum then advanced amounted to 3,000,000*l.*, of which one half had been repaid during the peace of Amiens, and the remainder amounting to a million and a half, which had ever since been annually renewed in exchequer bills still remained, to be made good. The separate charges were altogether as follows:—

SEPARATE CHARGES.

Loyalty 5 per Cents	£.217,680	
Debentures and Interest thereon	807,085	
Coinage	500,000	
Exchequer Bills held by Bank	1,500,000	
Interest and Sinking Fund on Exchequer Bills	2,260,000	
		5,284,765
Deduct Irish proportion of Joint Charge	2,957,656	30,424,951
Ditto, Civil List and Consolidated Fund	188,000	
		3,145,656
		£.27,279,295

To meet these charges, he should propose the following

WAYS AND MEANS.

Land and Malt	£.3,000,000
Surplus, Consolidated Fund	3,000,000
Excise Duties continued for Five Years	3,500,000
Bank Advance on Bills	6,000,000
Lottery	200,000
Surplus Grants, 1815	5,663,755
Bank Advance on Account of Increased Capital	3,000,000
Unclaimed Dividends	301,316
Unapplied Money in the Exchequer	140,000
Exchequer Bills	2,500,000
	£.27,305,771

As, however, a considerable portion of the supplies for the service of the year yet remained to be voted, he proposed to leave a proportion of the ways and means, to the amount of 4,000,000*l.* to be also voted on a future day. He could wish to show how the surplus of the consolidated fund (which however he meant to reserve for future consideration) was made up. Whether in the present situation of the country, the taxes carried to it were likely to increase or diminish, it was for gentlemen to determine for themselves. By the latest accounts made out of the produce of the customs up to the 5th of April last—that part of them which was carried to the consolidated fund, amounted to very nearly 5,000,000*l.* their produce being 4,998,000*l.*

The produce of that part of the Customs given to the War Taxes, which by a late Act of Parliament were to become permanent, amounted in the last year to	£.3,008,000
The Excise gave within the same period	19,006,000
The Assessed Taxes	6,327,000
Stamps	6,107,000
Post Office	1,600,000
Land Tax	1,052,000
Small branches of Revenue	122,000
And sundry other Ways and Means, including a variety of items, brought the grand total of the Income of the Consolidated Fund, to	42,965,000
The annual charges paid out of the Consolidated Fund, amounted to the sum of	39,172,000
This year there was to be added the Russian Loan	130,000
Making together	39,303,000

Deducting this sum from the income he had stated to be that of the consolidated fund, it would be seen there remained 3,652,000*l.* On this there was an arrear on the 5th of April, of 665,000*l.*, so the total produce of the last year was about 2,998,000*l.*; but the diminution here to to be observed would be covered by the produce of the taxes laid on in the course of the present year, and, under all circumstances, he thought he might with reason estimate its amount at 3,000,000*l.* The excise duty, late a war duty, but which had during the present session been voted for five years, had produced 3,688,000*l.* He estimated its produce in the present year at three millions and a half. He did not see why its produce might not be equal in the present year to what it had been in the last; but the allowances granted on account of the malt duty, made this a matter of doubtful calculation. The payments, however, not yet made good, would prevent any great falling off, and he should, therefore, take it at 3,500,000*l.*, subject, however, to some degree of uncertainty, on account of those repayments, the amount of which must be considerable, and could not yet be ascertained. The next item was, the first advance from the bank of 6,000,000*l.* The ordinary feature in the ways and means, the lottery, he took at 200,000*l.* This was somewhat uncertain, but he calculated its produce would be somewhere thereabouts. The next would be a most satisfactory item to the House, it was the surplus grants of the year 1815, which amounted to no less than 5,663,000*l.* An account was on the table showing in what way this sum was made up. Some grants were commonly left unapplied at the end of a year; but it was generally found that against these, some services left unpaid were to be set, which frequently came nearly to the same amount, and left little or nothing to be carried to the ways and means of the next year; if indeed they did not leave a deficiency to be made good, which was much more frequently the case. The sum remaining in hand on the 5th of January last, had, however, so greatly surpassed any thing left unapplied before, there was no reason to suppose the whole would be called for in any way. The grants unissued at the period he had mentioned, amounted to no less than 11,120,000*l.* It then became a question, how much of this sum it was necessary to reserve for payments due on account of services of the last year, and how much could be appropriated to the service of 1816. In the first instance, when the House met, he had stated the surplus grants were supposed to amount to about 3,000,000*l.* From the sum which he had stated to have originally remained in hand of 11,120,000*l.* there had been paid on

account of treasury bills	£1,550,000
For the Army	1,050,000
For the Commissariat in Spain Spain and Portugal due since 1814, provided in 1815	1,000,000
Barracks	126,000
Ordnance	876,000
Making a total sum for Military Service of	£.4,602,000
But against this, there was to be balanced the cash then contained in the Military Chests; this amounted to	1,865,000
Which deducted from	4,602,000
Left for the arrear of last year	£.2,737,000

To this was to be added of the subsidies granted in the year and remaining undischarged 1,720,000*l.* The navy debt in January last had amounted to 3,600,000*l.* Of this it was thought desirable to allow the sum of 1,000,000*l.* to be paid out of the surplus grants. There had thus been paid—

For Military Services	£.2,737,000
For Subsidies	1,720,000
For Navy Debt	1,000,000
Total	5,457,000
There then remained of the	11,120,000
Disposable Grants	5,663,000

Which sum he should propose to vote as a provision for the service of the present year.

The next item was the advance of three millions which he had had the satisfaction to negociate with the bank of England, and the circumstances attendant on which he had already particularized. He had then to state that he had formed a plan for making a new arrangement with respect to the unclaimed dividends of the bank. From these he proposed to take the sum of 301,000*l.* This, however, was not the only advantage which the public would derive from his scheme. It appeared to him that the arrangements hitherto made, both by Mr. Pitt and Mr. Perceval, were in some respects imperfect. They had not contemplated the possible increase of the unclaimed dividends beyond a certain sum, and all above that sum they had been content should remain in the hands of the bank. It appeared to him better that a more extensive arrangement ought to be made, adapted to any probable variation of circumstances, that the bank should retain in its hands a certain sum, and all the balances above that sum be made applicable to the public service. On this principle he had taken 301,000*l.*, which had remained in their hands up to the 5th of April, in addition to the advances made under the acts proposed by Mr. Pitt and Mr. Perceval. Thus 301,000*l.* however was not the only advantage which the nation would derive from his plan. It was not right that the bank should retain in their hands sums which it was not likely would be called for, and which, from the accidents of nature, or from the course of law, the owners might never be able to reclaim. He therefore thought such monies might be well paid over to the commissioners for the redemption of the national debt, to be by them applied to the liquidation of the public debt, subject to the future claims of the owners for restitution. He proposed that it should be arranged on this principle—that all stock on which no dividend was claimed for 10 years successively, should be paid over to the commissioners of the national debt, to be by them applied in the manner he had already described. A register of all such payments he proposed should be kept both in the bank and at the office of the commissioners for the reduction of the national debt, and this he thought would be better for the owners than even the present system, proverbially accurate as the bank was in all its transactions. The next item was rather of an extraordinary nature. It was one of 140,000*l.* made up of small balances remaining in the exchequer, the result of unapplied parliamentary grants of former years, and now amounting altogether to a sum not to be despised. There yet remained supplies to the amount of 2,500,000*l.* to be provided for, and this he proposed to do by means of an issue of exchequer bills to replace an equal amount of unfunded debt which would be paid off, and which in his original plan for the budget of the year he had proposed not to replace, but entirely to extinguish. These sums he had already stated as part of the separate charges of Great Britain, and they consisted of the remaining part of the bank advance of the year 1800, amounting to a million and a half, and of the debentures and loyalty loan paid off and amounting to a million and twenty-four thousand pounds.

He then recapitulated the whole of the supplies, and the ways and means by which they were to be met as above-stated. He did not mean to move for exchequer bills to meet the 2,500,000*l.* of which he had spoken, by themselves, he should include them in a larger vote. In February, a grant of 4,500,000*l.* in exchequer bills had been voted by the House to meet other bills to the same amount. To this might be added bills to the amount of 1,500,000*l.* issued on account of the bank—6,000,000*l.* to replace those on the vote of credit—and 1,000,000*l.* on account of debentures, making in the whole 13,000,000*l.*, to replace which, he should propose an equal grant of 13,000,000*l.* in exchequer bills, the whole being, with the exception of the last 1,000,000*l.* intended to exchange against bills of the same description, and even the last were to meet securities of a similar nature. He had had to meet a large defalcation to the amount of 8,500,000*l.* in the ways and means of the year, owing to the rejection of the property tax, and the relinquishment of the malt duties, and he should perhaps be asked in what way he proposed to meet this deficiency. He would therefore now explain in what way he had made good these eight millions and a half. In the first instance he had proposed to re-issue 2,500,000*l.* of exchequer bills, which otherwise would not have been necessary. The next means by which the deficiency was to be met, was furnished by the extra supply offered by the surplus grants. These, it would be remembered, when he proposed the renewal of the property tax, he had taken but at three millions. Since, it had fortunately been discovered, their amount had exceeded five million [Hear, hear!]. The proposed advance from the bank, which was the subject of the motion which he should make to day, furnished another portion of the sum to be made good, and to this might be added four hundred and forty thousand pounds unclaimed dividends, and monies in the exchequer, and thus the 8,500,000*l.* would be covered. He certainly thought it would be desirable to avoid, if possible, any increase of the unfunded as well as funded debt. Had the system he recommended been adopted by the House, a great and rapid improvement of public credit, would, in his conviction, have been the consequence. He still most sincerely hoped this would take place though with less rapidity, and he reflected with much satisfaction, that of all the sums called for, there was only the 2,500,000*l.* in exchequer bills, that could be said to press on the money market or on the exchanges. He wished to state the whole amount of the sum borrowed, against that portion of the public debt which would be paid off in the present year, without distinguishing, for the present, the funded and the unfunded debt, especially as it might be questionable in which of those classes the advances from the bank, and particularly the first ought to be placed.

The first advance from the Bank amounted to	6,000,000
The second advance, to	3,000,000
In Exchequer Bills	2,500,000
Total	11,500,000

He next proceeded to show the debt which would be paid off. The Sinking Fund had on the 1st of Feb. amounted to 11,130,000*l.* It was therefore probable that in the course of the year,

there would be paid off by the Sinking Fund	11,500,000
In Exchequer Bills	1,500,000
In Debentures and Loyalty Loan	1,024,000
East India Debt	945,000
Total	14,969,000

exclusive of what had been repaid within the last year. It would thus be seen that there was an exceeding of about 3,500,000*l.* over the sums borrowed for the service of the year. But it might be supposed, that when Ireland was taken into the ways and means, we should find our prospects much changed. For a few moments, however, he would take the liberty to trespass on the department of his right hon. friend, and to anticipate some few observations which he (Mr. Fitzgerald) would otherwise have had to bring forward in the able and satisfactory manner in which he always made such statements. For Ireland, his right hon. friend intended, this evening, to propose a grant of 1,700,000*l.* in treasury bills, in addition to which he farther intended to move for a grant of 1,200,000*l.* Irish, or 1,118,000*l.* English, making a total of 2,818,000*l.*, and adding the sum which he had stated was to be borrowed for England of 11,500,000*l.*, would make a grand total of 14,318,000*l.* But against this was to be set in addition to the sums he had before mentioned, the Irish sinking fund, which he believed amounted to about 2,300,000*l.*, and finally, the reduction he showed would be after all little less than 3,000,000*l.* of the united debt of the two kingdoms.—This, he trusted, would be found a most satisfactory view. He believed it had very seldom occured that it had been found practicable to reduce the public debt immediately after the close of a long war, before the nation had properly got to its peace establishment. Instead of being able to do this, it had commonly been necessary to call for large loans in the first year of peace. Under such circumstances, though the state of the country was not every thing he could wish, he was so far from feeling apprehension, that he could see nothing to fear, if proper measures were pursued, and every thing to hope, from the wisdom, firmness, and moderation of parliament. He had now to explain the manner in which he proposed to pay the interest of the money borrowed for the service of the year. The charge incurred by the first advance of the bank was for interest 240,000*l.* a year, and for sinking fund 60,000*l.*, making together 300,000*l.*, the second would require for interest 90,000*l.*, and for sinking fund 30,000*l.* together 120,000*l.*, total 420,000*l.*, of this only 120,000*l.* would be charged on the consolidated fund. The soap tax would produce about 200,000*l.*, and the new duties on butter and cheese about 100,000*l.*, if the trade continued as at present, or allowing for its falling off about 50 or 60,000*l.* He further had it in contemplation to submit to the consideration of the House, a new arrangement with respect to the draw-backs on sugar, the produce of which, added to the 250 or 260,000*l.*, which he calculated on deriving from the sources already mentioned, would be more than enough to provide for the charge created by the interest on money borrowed. The right hon. gentleman concluded with moving the first of the following Resolutions:

1. "That the proposal of the governor and company of the bank of England, 'That, 'in consideration of the advance of three 'millions sterling for the public service, in 'the manner, and upon the terms and con- 'ditions hereinafter mentioned, the said 'governor and company be authorized 'and empowered by parliament to increase 'their capital stock, which now consists of '11,642,400*l.* to 14,553,000*l.*; and that 'the proposed increase of 2,910,600*l.* be 'appropriated amongst the proprietors of 'bank stock at the rate of 25*l.* for every '100*l.* of bank stock which they respec- 'tively held on the 23d day of May 1816; 'and that, until repayment to the said go- 'vernor and company of the said sum of 'three millions, the promissory notes of 'the said governor and company expres- 'sed to be payable to bearer on demand, 'shall be received in payment of all sums 'of money which now are or shall become 'payable for any part of the public reve- 'nue, and shall be accepted by the collec- 'tors, receivers, and other officers of the 'revenue authorized to receive the same 'if offered to be so paid, fractional parts 'of twenty shillings only excepted:—That, 'in consideration of the above proposed 'increase of the capital of bank stock, and 'of the notes of the said governor and 'company being received in payment of 'every branch of the public revenue as 'aforesaid, the said governor and company 'are willing to advance the sum of three 'millions sterling for the public service, to 'be paid on such days during the present 'year, and in such manner, as parliament 'shall direct and appoint; the repayment 'thereof to be secured, with interest at 'the rate of 3 per cent. per annum, paya- 'ble annually, and to be repaid at such 'period as parliament shall direct and ap- 'point, not beyond the 1st day of August '1833, and to be charged and chargeable 'upon, and to be repaid out of the consoli- 'dated fund, unless otherwise provided for 'by parliament,' be accepted.

2. "That, towards raising the supply granted to his majesty, there be issued and applied the sum of three millions, to be advanced by the governor and company of the bank of England, in pursuance of the said proposal.

3. "That, towards raising the supply granted to his majesty, there be issued and applied the sum of 5,663,755*l.*, being the surplus of the grants for the year 1815.

4. "That, towards raising the supply granted to his majesty, there be applied the sum of 599,916*l.* 3*s.* 6*d.*, being fifteen seventeenth parts of the sum of 679,905*l.* arisen from the sale of old naval and victualling stores.

5. "That, towards raising the supply granted to his majesty, such part of the balance remaining in the hands of the governor and company of the bank of England, for the payment of dividends on the public debt, be advanced, from time to time, for the service of the public, provided that if, at any time, the said balance shall be reduced to a less sum than 100,000*l.*, then so much of the monies advanced by the said governor and company thall be repaid to them as shall be equal to the sum by which the said balance shall be less than the sum of 100,000*l.*

6. "That towards making good the supply granted to his majesty, there be issued and applied the sum of 43,247*l.* 3*s.* 11½, which have been issued to sundry persons at the receipt of his majesty's exchequer, prior to the 5th day of January 1810, and which, not having been paid, remain as out-cash in the chests of the four tellers of the said exchequer.

7. "That, towards making good the supply granted to his majesty, there be issued and applied the sum of 13,205*l.* 5*s.* 3*d*½ remaining in the receipt of his majesty's exchequer on the 5th of January 1816 for payment of certain annuities for terms of years which expired *annis* 1792, 1805, 1806, and 1807.

8. "That, towards making good the supply granted to his majesty, there be issued and applied the sum of 6,326*l*, 0*s* 9*d*¼ remaining in the receipt of his majesty's exchequer on the 5th of July 1815, and charged upon the consolidated fund for services which cannot now be claimed.

9. "That, towards making good the supply granted to his majesty, there be issued and applied the sum of 72,973, 15*s.* 3*d* remaining in the receipt of his majesty's exchequer on the 5th of January 1816, on the funds for payment of annuities on lives granted *annis* 1745, 1746, 1757, 1778 and 1779, on which the lives have expired since the 5th of January 1802.

10. "That, towards raising the supply granted to his majesty, there be issued and applied the sum of 6,545*l*, 5*s.* 4*d*, being the amount of money paid by the receivers general of the land tax to the governor and company of the bank of England on account of the pay-master general of his majesty's forces, in pursuance of an act of the 37th year of the reign of his present majesty, for raising men for the army and navy.

11. "That, towards raising the supply granted to his majesty the sum of thirteen millions be raised by exchequer bills for the service of Great Britain.

12. "That towards raising the supply granted to his majesty, the sum of 1,200,000*l.* Irish currency, be raised by treasury bills for the service of Ireland for the year 1816.

13. "That, towards raising the supply granted to his majesty there be applied for the service of Ireland the sum of 79,985*l.* 16*s.* 6*d.*, arisen from the sale of old naval and victualling stores."

The first Resolution being put,

Mr. *Vesey Fitzgerald* rose to state the supply and ways and means for the service of Ireland. He said, he felt it to be unnecessary to trespass on the committee at any length. The circumstances of the finances of Ireland had been gone into so recently, and he had himself received so patient a hearing, and so much indulgence when he submitted the late resolutions to the House, that he should not now be justified in going over the same ground. He should briefly state the amount of the supply which was required for the year 1816, and the ways and means by which he should propose to parliament to make provision for it. It would be necessary only to advert shortly to those principles which he had endeavoured to illustrate on a preceding evening, and though the measures which he had declared it to be his intention to recur to as a source of present supply had not yet received the express approbation of the House, yet the liberal view which had been taken of the whole of our financial situation, and of the proceedings consequent upon it, would justify him, he trusted, in not proposing any new taxes in aid of the services of the present year. The estimated quota of contribution for the year 1816 was 3,145,656*l.* British, as had just been stated by his right hon. friend, making in Irish currency the sum of 3,407,794*l.*; the charge for interest and sinking fund on the present debt is 6,826,730*l.* including management, making the total supplies 10,234,524*l.* The state of the consolidated fund was as follows:

the surplus balance in the exchequer at the 5th January, was 1,448,086*l.*, and there was remaining of loan, raised in Great Britain for the service of the last year, 2,622,641*l.* British, being in Irish currency 2,841,194*l.*; a total sum of 4,289,280*l.* From this he was to deduct arrears due on that day. The arrear of contribution for 1815, 2,942,280*l.* British, being 3,187,470*l.* Irish: the outstanding treasury bills and lottery prizes, 28,876*l.*, and for inland navigations, and the expenses of the office for the public records, 81,364*l.*, the total of the arrears was 3,297,710*l.*, which, deducted from 4,289,280*l.*, leaves a balance of 991,570*l.*

Having recapitulated the supply, he had to state the ways and means. The surplus of the consolidated fund as appeared above, 991,570*l.*; the produce of the revenue he should only estimate at 6,000,000*l.*; one-third of the profit on lotteries which Ireland was entitled to receive, 100,000*l.*; repayment of sums paid by Ireland for naval and military services being advanced out of the revenue of the last year, 111,960*l.* His right hon. friend had before stated the loan on treasury bills for which an act has passed both Houses of parliament, of 1,700,000*l.* British, making 1,841,666*l.* Irish, and that a further loan on treasury bills would be required to be issued in the present year for the sum of 1,200,000*l.*, being a total of ways and means of 10,245,196*l.* to meet the supply of 10,234,524*l.*

The committee were aware of the reduction of the revenue in consequence of the repeal of that portion of the malt duty in Ireland which corresponded with the late war duty in Great Britain: it was only what the act of union had prescribed: but as a measure of relief, sensibly as it might be felt in this country, it would not be less felt in that where the example had been followed. He had always regretted the necessity of augmenting the malt duty; but it was to be remembered, that he had never had but a choice of difficulties. The deduction from the revenue, including the repayment of duty on stock, in the hands both of distillers and maltsters would be, he feared, 300,000*l.*; other small duties repealed would make a total diminution in the revenue of 350,000*l.*, and when the committee recollected that the whole of the nett payments into the exchequer in the last year amounted to 5,845,845*l.*, he was sure he should not be charged with estimating the annual produce of the revenue too loose when he took it at 6,000,000*l.*, he feared rather that he should be accused of an excessive estimate. He thought himself grounded, however, in hoping for what must be the increase of more than half a million from that improved system of collection which was visible in every department, and for which the chiefs of departments deserved the greatest praise—[Hear, hear;]. He could not better excite that industry, or stimulate that exertion than by showing to the different boards that parliament looked to them to supply, by their exertions, the necessity of fresh taxation, and he knew that he did not reckon on their exertions in vain. There was no principle more important to be kept in view, particularly in Ireland, than that it was better to collect your old taxes well, than to delude the public by suggesting new and unproductive imposts. He did not found his estimate of revenue solely on a vague expectation of its produce; the assessments principally of the inland taxes had been formed upon a more correct system, and in no branch of our revenue had a collection been more improved. He expected in the present year a great increase from those duties, and without referring to the excise revenue, or to those disputed questions connected with the distillery, which he purposely avoided, because they were likely to become the topics of discussion at another and a more convenient time; it must be obvious to every man that if the practice of illicit distillation would be checked in some degree (he was not sanguine enough to hope for its immediate extinction) the excise revenue would become the main source of our contribution. He did not despair either, that the internal difficulties of Ireland would press so heavy as in the last year, a year of sudden and unexampled distress. That distress was easily to be traced in the diminished consumption of some of the most productive articles, not only in our excise but in our customs also. He hoped that our horizon was brightening a little, and that he might be justified in the estimate of six millions which he had assumed. The produce, besides, of the quarter to the 5th April last had considerably exceeded the corresponding period in the preceding year.—He had omitted to refer to stamps; which he ought not, as the increase had been considerable in that branch of the revenue.

The right hon. gentleman proceeded to

state the charge on the treasury bills to be issued. Two acts had already passed, authorizing different issues; the one was, however, to supply 2,470,000*l.* in bills payable within this year, and the charge for which is included in the annual charge of the Irish debt; that sum indeed made almost the whole amount of the unfunded debt of Ireland; of course, he was not required to make any further provision for that issue. By the other act there was a grant of 1,700,000*l.*, and he should to-night submit a resolution for 1,200,000*l.*, besides, the whole making in Irish currency, 3,041,666*l.*, the interest of which, at 5 per cent., with a sinking fund of one per cent. would create a charge of 182,500*l.* annually. When the committee recollected that Ireland had abstained from encroaching on her sinking fund, and called to mind also the relative proportions of the sinking funds of Great Britain and of Ireland, as well as those which they bore to the respective capital of their common debts, they would, he trusted, approve of provision being made for the above charge, by cancelling a certain portion of stock, now standing in the names of the commissioners in Ireland for the redemption of the national debt. In England the principle had been acted on. If it should meet the approbation of the committee, he should have the honour to state the details more particularly on a future day. The amount of capital redeemed in Ireland, was, in 5 per cents., 1,852,072*l.*, in 4 per cents., 294,500*l.* In 3½ per cents., 3,745,958*l.* making in all, 7,892,330*l.* The whole of the 5 and 4 per cent. stock he should propose to cancel, and a portion of that in the 3½ per cents., amounting to 2,231,914*l.* The dividends upon these stocks he had calculated as yielding 182,500*l.*, sufficient to cover the whole charge of interest and sinking fund created by the loans of the present year, which he had stated. It would be right that this should be made applicable to the same charge whenever the stock thus created became a part of the funded debt. He might be permitted to observe, that the capital thus cancelled was much less than that existing in Ireland when the sinking fund was first established there. The amount of debt then in Ireland (in the year 1797) being 5,825,000*l.* The annual income of the sinking fund applicable in Ireland will still remain more than sufficient for the debt it has to act upon there, the whole income of it being at present 736,430*l.* He had directed calculations to be made of the proportion which the sinking fund of Ireland would bear to the debt of Ireland after this deduction had been made. He had on a former night ventured to promise that we should still bring to the consolidated revenues, a sinking fund, richer than that of Great Britain in proportion to our respective debts. He believed he had stated that it would remain as 1 to 54, he was more than borne out by the calculation since made. He trusted that parliament would concur with him in this view of the measure to be taken: indeed, he saw no alternative. They would recollect how little proportion it bore to the demands made by England on her sinking fund in the last three years, and that during that period, though in the year 1811 England had acquiesced in the declared inability of Ireland to contribute by fresh taxes to the public exigency, and that every effort has since been made by Ireland to meet her difficulties, and that she now applies to this resource only when the resources of taxation are exhausted. If England has cancelled 250,000,000*l.*, he would not say that she had not purchased a right to do it by the sacrifices she had continued to make, and if he now recurred to the same means of relief, it was known to those with whom he had acted, and indeed he hoped that the financial efforts which had been made would prove that he had not been eager to recur to it. He felt that it was unnecessary to dwell longer upon this or any other points, when he recollected the ample discussion which most of the topics received on a former night, and which many of them probably would still receive while the bills for consolidating the debts and revenues of both countries were in progress through parliament.

Mr. *Ponsonby* said, he did not rise to call the attention of the committee to the melancholy prospect presented by the real state of the revenue of the country as compared with its expenditure, since this subject would be better discussed to-morrow, when an hon. and learned friend of his brought forward his financial resolutions. But he congratulated the committee that the House, in putting an end to the property tax, had not brought on the finances of the country, all those evils which ministers had repeatedly predicted its rejection would occasion. He congratulated the committee that the minister now found himself able to raise the ways and means in a way which appeared satisfactory to the House, and light and easy to the country. It was satisfactory, that by resolutely persevering in opposition to the property-tax, and by totally disregarding all the predictions and entreaties of the minister, we had now even his testimony in favour of an opinion that there was no necessity for it. It was also peculiarly satisfactory, that after he and his friends had been so frequently charged with attempting to shake the credit of the bank of England, that establishment, amidst all its trepidation, from such alleged attacks, was still in a capacity to lend government 9 millions in one year, and at the same time to add 3 millions to its capital, and to increase its credit. These were most satisfactory considerations, and afforded proofs of the solidity of the resources of the country, and especially of that favourite institution the bank, seeing that its credit and capital were both augmented, even in spite of the attacks which he and his friends were alleged to have made upon it. These were subjects of congratulation which he could not refrain from stating.

Lord *A. Hamilton* called the attention of the House to the new arrangement proposed with the bank. That company had agreed to lend 3 millions at 3 per cent., and the government, on the other hand, had agreed to recommend to parliament to allow the bank of England to increase its capital by 2,900,000*l.* He wished to know, in case the House should admit one part of the bargain and reject the other, whether the right hon. gentleman could accept or obtain his three millions for the service of the year. He did not believe it. The House were therefore not called to vote unshackled on this matter, but were required to accede to an act which would give an immense augmentation to the bank. If the right hon. gentleman had displayed his whole view of the question respecting his arrangements with the bank at once, he doubted whether the House would have sanctioned the bill which had already passed respecting the advance of six millions. On this augmentation of capital, the bank would pay themselves 10 per cent.; which, with the 3 per cent. allowed by government, would make 13 per cent. He was confident that if the negociation had been properly conducted, the proposed addition to the capital would have been accepted, and the 3 per cent. saved to the country. As to bank paper being taken in payment of certain debts, even after the restrictions should have expired, he did not approve that one set of creditors should be paid in notes and the other in cash.

Mr. *Baring* defended the fairness of the transaction on the part of the bank. It must be quite obvious, he thought, that the bank might with perfect fairness have divided the three millions of surplus profits as a bonus among its proprietors: but it had pursued another course, by which it had at once given additional security to its credit, and materially facilitated the financial arrangements of the current year. Nothing, he thought, could well be clearer to persons at all conversant with such subjects, than the financial statement of the chancellor of the exchequer. He was surprised that the chancellor of the exchequer for Ireland had not stated the principles on which he proposed to take so much from the sinking fund of that country. It was true that a similar proceeding had taken place in this country, but then the system and the principles were stated on which it was recommended for adoption. He must confess, however, that the statement of the chancellor of the exchequer was not quite so satisfactory to him as it appeared to be to his right hon. friend, whose mode of viewing the budget of the year was a little calculated to mislead the country as to the extent of its resources. It must be obvious that a very small portion of the income of the year could be calculated as any thing like permanent income. To meet the expenditure of twenty-seven millions, the chancellor of the exchequer had shown nothing but an income of permanent taxes to the amount of 9,700,000*l.*; all the rest was made up of temporary resources, which could not be expected to recur. This was a state of things that gave him little satisfaction, and on which he could not congratulate the country. He even feared that this sum of 9,700,000*l.* might not be forthcoming in another year: this depended entirely on the circumstance whether the produce of the taxes should support itself or not. But in a revenue amounting to thirty millions altogether, he should not be surprised, considering the state of the country, to find it on the decline. He was apprehensive, indeed, from what he had heard, that the produce of the customs had fallen off much since the accounts of the last quarter were made up. The general distress and reduction of establishments made him apprehensive that his suspicions would prove too well founded; so that, if the revenue fell off only one fifth, this would at once make away with the whole of the disposable income of nine millions. But even if the result were otherwise, where were we to look in another year for the casual resources which this year enabled us to meet an expenditure of twenty-seven millions? The chancellor of the exchequer had told us that it was altogether unprecedented in the first year of peace for the country to have a surplus of unexpended supplies to the amount of 5,400,000*l.* This, however, proceeded entirely from the immensity of supplies voted last year, to the amount of 120 millions, and the rapid termination of the war, which was ended almost before we were aware of its commencement. Under such circumstances, he should have expected that the surplus would have been much larger; its smallness appeared extraordinary.

Mr. *Ponsonby* said, that so far was he from giving credit to the right hon. gentleman for his flourishing statement, he had distinctly stated that he would abstain from commenting on the melancholy and calamitous view which he had given the House of the finances of the country, seeing that that subject would best come before parliament on the motion of his hon. and learned friend which stood for to-morrow.

The *Chancellor of the Exchequer* begged, for about the fiftieth time, to tell the right hon. gentlemen opposite that the present was not the permanent peace establishment. He was desirous of saying a few words in reply to what had fallen from an hon. gentleman (Mr. Baring), who seemed to be apprehensive lest the House should have taken too sanguine a view of the finances of the country. The hon. gentleman seemed to run into the old fallacy of confounding the expenditure of the present year with a permanent peace expenditure. Besides, it must be evident that the supplies which he had stated comprehended very large sums which were not likely to occur again. It must be satisfactory to learn, that even giving up the property-tax, still the country was able to pay off 3,000,000*l.* more debt than it contracted in the year. The hon. gentleman had complained that the surplus from last year was much smaller than he expected, but it should be recollected, that in the same year not less than 20 millions of unfunded debt were paid off, and still the surplus amounted to five millions and a half for the supply of the present. He confessed he did think the treasury were entitled to some credit for this. It was true the noble lord at the head of the treasury and himself were assisted by a most efficient staff of secretaries. He had also to pay a due tribute of praise to the commissary in chief, whose indefatigable exertions had, he believed, saved the country millions. Part of the silver, to the amount of 600,000*l.*, which was now preparing for coinage, was provided for the use of the army in France, and had not been expended.

Mr. *Baring* said, his observations applied to the revenue of the country, which he felt persuaded would diminish rather than increase in the course of the current year.

Mr. *Tierney* said, the right hon. gentleman had stated, that this was about the fiftieth time he had mentioned that this was not the peace establishment; but it was also about the fiftieth time that he had asked, what was the peace establishment? He firmly believed that the right hon. gentleman and his colleagues had no intention of bringing down the peace establishment below 22,000,000*l.* a year. The observations of his hon. friend deserved the most serious consideration, and he was surprised that the right hon. gentleman should venture to tell them that this was a mere temporary supply. In making that statement, he was wilfully deceiving the public, as he must know that there were 14½ millions that could not arise again. He had contrived to scrape up all the odds and ends, such as the unclaimed dividends, and other items of a similar nature; but it could not be concealed, that the prospect of the country was frightful and alarming. The right hon. gentleman, however, had told them that they were in a most flourishing state; but he was sure that the consolidated fund would not produce any thing like what was calculated for the present year. Did the chancellor of the exchequer mean to state seriously and soberly, that the war duties could be raised from year to year? The fact was, that the revenue had been declining, and he was at issue with the right hon. gentleman on that point. The statement which he had given in, up to the 5th of April, 1816, included a mass of taxes imposed in 1815, and which ought to be excluded. The amount of the consolidated fund in 1815 was 35,734,000*l.*; in 1816 it was 39,439,000*l.* This was an apparent increase, but it arose from certain new taxes, such as the stamps and the post-office, which formed a total of 900,000*l.* To this, however, must be added the amount of the stamp duties, ending on the 5th of April last, of which no account had been yet laid before the House. With respect to the war-duties, on the 5th of April 1815, they amounted to 9,939,000*l.*; on the 5th of April this year, they were 9,491,000*l.* This, he repeated, was an apparent increase; but the total falling off of the revenue in the last year amounted to no less a sum than 648,000*l.* Now, the right hon. gentleman might say what he pleased as to the flourishing state of our finances; but he (Mr. Tierney) trusted, he possessed common sense on the subject, and he was certain that the revenue could not be kept up. The war duties were never designed to be continued in peace, and it was a delusion on the country to be saying, the state of the revenue is such, that you can avail yourselves of a surplus of the consolidated fund, amounting to 3,000,000*l.* The excise was falling considerably, and would continue to fall much lower. Could any body believe, when the landed proprietor received no rents, and the merchant was unable to find a market for his goods, that the revenue could go on? The last war had been called a war of commercial advantage: but the arrival of peace was the arrival of a moment of alarm. He was surprised to hear the chancellor of the exchequer call on them to vote that the country was in a flourishing state, and that there was nothing to make them despond. When the right hon. gentleman said that we ought not to despond, he agreed with him on the general principle; but it was impossible to look at the situation of our affairs, and not feel the utmost anxiety and alarm. The right hon. gentleman asked the House to rely on his wisdom to protect them against future difficulties; but he did not believe that the right hon. gentleman could go through the next year. He had told them that he had borrowed 9,000,000*l.* of the bank; but there was so much hocus pocus in his statement that they could hardly tell what he had borrowed. Did he mean to say, that his hon. friend was wrong in stating, that not more than 9,000,000*l.* could be applied to the public service next year? Was not this an alarming prospect for the country? Was it not a melancholy consideration that in a time of peace we were to go on from year to year without decreasing our debt? He did not profess to have any remedy for this evil; but what he said was, that the House of Commons had not done its duty, by not having turned its attention to the real state of the finances of the country. A very fair, and he believed a very correct, statement had been given with respect to Ireland; but why had not the same been done with respect to England? Why did not the right hon. gentleman face his difficulties manfully? But, no: the chancellor of the exchequer said, only enable me to get over my present embarrassments, and rely on me for the future. The right hon. gentleman had brought into his account 5,663,755*l.* as the surplus grants of last year; but what had become of the residue? He had given the right hon. gentleman great credit for asking for the sum which parliament voted, but he did not give him equal credit for getting rid of it. The war had lasted only a month, and though our troops had gained immortal honour, that was no answer, when he asked what had become of the money. They were merely told, however, that there were five millions and a half of surplus, and in addition to that, the bank of England advanced nine millions. The bank had now lent government 12 millions, but he did not like that we should be indebted to this amount in the shape of loan. He believed that all this was for the sake of continuing the bank restriction; and his firm conviction was, that the restriction would go on beyond the two years. As to returning to payments in specie, he had heard nothing else for the last fifteen years. The bank had always contrived to keep the chancellor of the exchequer under their thumb: and now when they knew that he could not repay them, they had secured the renewal of their charter. The governors had certainly shown very great dexterity in their arrangements with the right hon. gentleman: neither Jonas nor Breslaw, nor any of those people, could have displayed more cunning. They made four distinct propositions; they were to have interest and no interest; they were to receive a bonus and no bonus. These tricks had completely deceived the right hon. gentleman; but what was the consequence?

If the revenue did not increase, we should have to raise 12 millions in some way or other; or, in the course of another year, we must have a loan of 21 millions. We were thus left to the mercy of the bank, and we knew how far their kindness extended; they were merciful to the degree between 3 per cent. and 5 per cent., and would lend us nothing without the renewal of their charter. From this view of our financial situation, would any one say that the country was in a flourishing state? There was nothing that could hold out any consolation whatever, unless parliament would oblige ministers to confine their expenditure within the revenue. He was quite sure that it would require a much greater talent of public speaking than the right hon. gentleman possessed, to convince the House that this was not an alarming state of the country.

The *Chancellor of the Exchequer* appealed to the House, whether he had in any degree expressed despondency at the situation of the country, or showed any disposition to shrink from the difficulty of the times. It was his greatest satisfaction that, under all the circumstances of the country, he had been enabled to effect a loan on such terms, that, after all that had been said, no solid objection had been made to it. It was true that this year only 3,000,000*l.* of the public debt could be redeemed; but the House would recollect, that if the plan which he had first recommended had been adopted, about 12,000,000*l.* would have been redeemed. The right hon. gentleman had endeavoured to prove, that, although there was an apparent increase in the revenue this year, yet that in fact there was a diminution, because the produce of the taxes imposed during the last session ought to be deducted. That such a deduction ought to be made was perfectly well-founded, and it amounted to about 900,000*l.* By deducting this sum from the produce of last year's revenue it would give an apparent excess of the produce of the preceding year to the amount of about 200,000*l.* But then the right hon. gentleman forgot to add the amount of the taxes which had expired during the last year, which had been available in the preceding year, and these amounted to 830,000*l.* So that the right hon. gentleman after all was completely wrong, as instead of a diminution of the produce of last year compared with that of the preceding, there was an increase of 600,000*l.* or 800,000*l.*

Sir *H. Parnell* contended, that the revenue of Ireland might be greatly augmented, if a new system of collection were adopted. Considering the gross and nett amount of revenue, it was quite clear that there was very great room for improvement. The nett revenue was 5,700,000*l.* per annum; the gross revenue 7,500,000*l.*, making a difference, for the collection, of upwards of 1,500,000*l.* The customs were collected at the rate of 16 per cent., while in England their collection did not require more than 5 per cent. On the post-office revenue the expense of collection was not less than 56 per cent. Of 230,000*l.* which the post-office duties last year produced, only 79,000*l.* were paid into the exchequer. In the customs, the most extravagant expense was also apparent, particularly with reference to the law proceedings which it was found necessary to institute, from time to time. With regard to distillation, if that branch of the revenue could be reformed, it would produce not less than 1,200,000*l.* per annum. If a proper control were effected, over the excise officers, and if gentlemen of property would assist the collection of the revenue in that department, a great advantage would be effected. There appeared to him to be a very great necessity for introducing a total change in the mode of appointing the subordinate officers who were employed in the collection of the excise. Here the different boards elected their own officers, but in Ireland they were uniformly appointed by the lord lieutenant. The boards in that country had no influence whatever. The hon. baronet expressed his firm conviction, that the expenses now incurred, in consequence of the disturbed state of Ireland, might all be saved, if proper means of conciliation were adopted. At present a force of near 30,000 men was kept up in that country, which by proper management might be dispensed with. The concession of the Catholic claims would, in the course of a very short time, allay the ferment which at present occasioned so much mischief there.—But so long as the House refused to consider the Catholic question, he feared that the country would be put to the expense of two or three millions a year, for the support of a military force. He was also of opinion, that the sum of 100,000*l.* per anuum, which the establishment of the lord lieutenant cost, might be saved to the public. He could see no reason why Ireland could not be governed like any other part of the British empire, without incurring such an enormous expense.

Sir *J. Newport* thought the revenue would be greatly increased in Ireland, if the control over it should cease to be the subject of political interference. The exercise of government influence with respect to the various appointments, was the source of endless loss and vexation. He then complained that of late years the taxes had been paid chiefly out of the capital of the country—a system every where ruinous, but more especially to Ireland, who was already deprived of the benefit of so much of her capital by the residence of absentees in this country.

Mr. *W. Smith* read a letter from Ireland in corroboration of sir H. Parnell's statement. It related to the great amount of law expenses in Crown prosecutions; and stated, that although in one circuit, nine counsel had been employed, at an expense of three guineas each, to transport one Whiteboy, yet the business was shifted from one to the other, and in fact, very badly done; insomuch, that very lately the attorney-general had been obliged to send down serjeant Joy in addition, on a prosecution for a libel. The expenses were very great in that country, and he knew an individual who paid a fine of 50*l.* and 120*l.* costs, on a business that never came to trial, and where there were no fees to counsel. This sum was paid by the party. He would leave it to the House to judge what the expense would have been had the matter come to trial, and the costs been paid by the country.

Mr. *Vesey Fitzgerald* complained of the course which the hon. member who spoke last had taken—not alone of the introduction of matter so irrelevant—not only of bringing in the discussion of legal prosecutions and their attendant expense in a question of supply; for the hon. gentleman, perhaps, himself was not aware, that they were not prosecutions connected with the revenue. One of those he had stated was a case of libel; and how did the hon. gentleman introduce them? In his anonymous letter ["not anonymous," said Mr, Smith, across the House]—then his correspondent had a name, but the hon. member did not choose to give it. He could have wished, as he had abstained from mentioning his name, that he had also abstained from mentioning the names of several learned gentlemen whom he had spoken of rather unfairly, as he thought. As to the general observations of his hon. friend, the member for the Queen's county, he could hardly account for what had fallen from him. The revenue from spirits was already much beyond that sum which his hon. friend had calculated on as a great increase. With respect to other branches of revenue, he would put it to his own candour, whether they had not been raised beyond example? If his hon. friend recollected the produce of the inland duties when he was himself at the board of treasury, he would not think light of what had been done. In truth, the country had made great efforts, and had made them cheerfully. As to the expense of the collection of the revenue, it was most uncandid to compare it with that in a kingdom where the public income was ten times as great, and where the establishments were by no means in the same proportion. This should always be remembered in the department of customs particularly to which the hon. member had alluded. As to the post-office, it would be bad policy indeed, in a country like Ireland, to look to it merely as a source of revenue. It had been made, and laudably made, subsidiary in the first instance to the accommodation of the public, and to the improvement of their communications, which ultimately would more than repay even in revenue itself. The hon. baronet knew the expense of the conveyance of mails, the establishment of coaches, and the surveys of the great lines of road, all which fell heavy upon the revenue of the post office, and were not charges on the same branch in this country; of all objections this was the last which he expected, from him or from any Irish representative. There were but two other points he would refer to. It had been said, that the appointment of the officers of all departments ought to rest with the boards and not with the lord lieutenant. Now, he thought that there was as good a chance of the lord lieutenant doing his duty honourably as any of the gentlemen (though he felt great respect for them) who had ever sat at any of those boards. It was better that every public man should be immediately before the eye of the public and of parliament, and the responsibility was greater which was not divided with colleagues, even if each could shift off improper imputation from himself. Of the noble person who was now lord lieutenant, he felt it his duty to say that he had acted throughout, in regard to those appointments, only with a view to the advantage of the revenue. It would be well if those to whom the same power might be confided hereafter, whether boards or others, acted as purely and with the same regard to the public service. It was not now the time to notice what the hon. baronet had said on the Catholic question; it was a bad compliment to insinuate that the expense of our military establishment would be saved by Catholic emancipation. He could not concede this point, or that there was any connexion between the disturbances of Munster and religious dissatisfaction, and he must be forgiven for saying that this was not the first time he had felt regret at seeing the manner in which the hon. baronet had advocated that question. As to the assimilation of the currency, he had explained himself on a former night very fully. He had wished to make it a part of that great financial union which was to incorporate both countries; but he thought any pledge of a prospective measure unadvisable until the whole subject could be maturely considered.

Mr. *Peel* stated, first, that upon the representation of a public board to the lord lieutenant, as to the inefficiency of any officer, that officer's service was dispensed with; secondly, that no officer was dismissed unless in consequence of the representation of the board under which he acted; and thirdly, that no officer's salary had been increased, unless the board, with which that officer was connected, concurred in the application for such increase. This he could venture to affirm, from his knowledge of the government of Ireland; and he thought the statement necessary, in order to repel the suspicion of any undue influence upon the conduct of that government. As to the hon. baronet's plan of economy, it seemed extraordinary that that plan should include, first, a reduction of 30,000 men from an army, which altogether consisted of only 25,000; and secondly, the reduction of criminal prosecutions, which the hon. baronet, no doubt, proposed with a view to promote the tranquillity of the country, which probably, the hon. baronet was encouraged to think quite secure, from the favourable account which the House had recently heard of the state of the county of Tipperary. The hon. baronet could not, however, hope to derive a very material saving on the latter head, for the vote for the whole of the expense of criminal prosecutions amounted to only 25,000*l.* As to the third and last branch of the hon. baronet's economical project, namely, the abolition of the local government of Ireland, he did not think it necessary to detain the House by any observation upon that point.

General *Matthew* said, that in consequence of the right hon. gentleman's allusion to the county of Tipperary, of which he had the honour to be a representative, he felt it necessary to say a few words, and he would repeat, that tranquillity was restored in that county—that more had been done within a very short period through the influence of conciliation, than the right hon. gentleman's system of police had been able to accomplish within many months, at an expense of 8,300*l.* to the inhabitants of the county. To pay this expense, he (general M.) as a member of the grand jury, was obliged to assent, although convinced of the inefficiency of the system. He did not, however, mean to blame the right hon. gentleman for incumbering the county with such expense, because he was aware, that the introduction of his system was called for by the magistrates; but he was fully satisfied, that more good would have been done without than with that system. Indeed, he was assured, that no good whatever was done by what, in compliment to the right hon. gentleman, were called "the peelers." He could assure the House, that no information, as to any conspiracy or malefaction was ever obtained by those peelers—that no evil was prevented or punished through their intervention or activity. For instance, no one taken up by the peelers on the charge of being concerned in the murder of that worthy magistrate Mr. Baker, had ever been convicted, while the information which led to the apprehension and conviction of some of the murderers, was obtained by the resident magistrates. Yet the county was called upon to pay those peelers 8,300*l.*; that is, the innocent were compelled to pay for the guilty, while the payment made to those who contributed nothing either to the prevention or detection of guilt, in too many instances disabled tenants from paying their rent. Now, as to his hon. friend's plan for economizing the expenditure of the Irish government. He (general M.) denied that his hon. friend had ever called for the reduction of 30,000 men. Therefore the right hon. gentleman's joke was unfounded. The general maintained that a saving of 300,000*l.* a year might be very easily made in Ireland, and principally by the abolition of the local government. For there was no occasion for a lord lieutenant in Dublin merely to drive a coach and six from the castle to the Phœnix park, at an expense to the country of 30,000*l.* a year; nor was there any occasion for the office of the right hon. secretary Peel, who had a salary of 6,000*l.* a year, with two noble houses, for which he did nothing at all but trouble the country. There were several other offices also which might very well be abolished, and among them a secretary at war with a large salary, for which he did nothing but write letters to the yeomanry, which might just as well be written from the war office in this country. In fact, since the Union, which rendered Ireland a mere province, the Irish court was quite a mockery, to which none but the partisans of the government resorted, which indeed served only to encourage party dissentions. Therefore no independent Irish nobleman or gentleman now resided in Dublin. All their mansions were sold or let to barristers and attorneys, and thus Dublin was injured by the residence of the court. If, however, this court were removed—if Ireland were put on the same footing as Scotland—he had no doubt that Dublin, like Edinburgh, would be resorted to in the winter months by the independent nobility and gentry of the country, who now occasionally visited that capital, merely upon business, and rarely residing any where but at hotels. The hon. general suggested that the Castle might be converted to the use of the public, so as to obviate the necessity of any new building for the customs and excise, while the country houses belonging to the court, might be sold for the public benefit. He strongly recommended the abolition of the barrack establishment, with a view to farther saving. There was, he said, at present, to be found a barrack master, with a barrack, in numerous districts, without any army to occupy it. Thus an expense, which was totally unnecessary, was imposed upon the public, to maintain a scandalous system of patronage in an impoverished country.

Mr. *Peel* said, that the interference of the police objected to by the gallant officer, was introduced in the last instance into the county of Tipperary, upon the requisition of 76 magistrates, who had had previous experience of that system, and that there was no intention of erecting any new buildings for either the customs or excise.

Mr. *Croker* did not rise to deny or defend the number of counsel which might be employed, as the hon. member for Norwich had stated, in the Munster circuit. When he knew any thing of that circuit, the number was much smaller; how it might be now he could not say, but he wished to deny the charge which the hon. member had brought against the barristers, of grossly neglecting their duty, and shifting their business from one to another in so careless a way, that at last the business was not done at all, and the criminals escaped. He would venture utterly to deny this statement; the gentlemen alluded to were some of the most respectable names at the Irish bar, and they would scorn to be guilty of such a mean neglect of duty as that imputed to them. It was rather hard, that on the information of an anonymous letter, the characters of these respectable individuals should be thus stigmatised. It should be recollected that professional men, above all others, depended on their character even for their livelihood; and what could be a more grave imputation against a barrister, than that he received fees for business which he afterwards neglected to do? He was confident that this heavy charge against some of the most enlightened and honourable members of the Irish bar was unfounded; he could positively assert, that when he had happened to know something of the circuit alluded to, all the counsel employed did regularly attend, and the business was done in a manner corresponding to their eminent abilities. He thought it right to say so much on behalf of gentlemen thus unhandsomely attacked, without the possibility of being able to defend themselves; and he thought the hon. member would have done more fairly, if he had either not mentioned the names of the barristers, or given up the name of the correspondent who had traduced them.

Mr. *Smith* expressed his regret that his observations should be taken in this view. He was ready to confess, that he was in some degree liable to the rebuke of the hon. member, but he would say, that he really did not mean to make any charge against these barristers: it might however have been better, if he had not named them; but he only meant to say, that according to the old proverb, too many cooks appeared here to spoil the broth.

Mr. *J. P. Grant* asked whether the

committee were to understand that the sum now required for the service of Ireland would comprise the supply necessary to meet all charges?

Mr. *V. Fitzgerald* answered, that it would meet the whole expenditure of Ireland, including her share of the joint contribution of the two countries.

Mr. *Grenfell*, after noticing the amazing profits derived by the proprietors of bank of England stock, repeated his objection to the payment of any interest for the three millions to be advanced by the governor and company of that establishment.

The resolutions were then put and agreed to.

HOUSE OF LORDS.

Tuesday, May 28.

SILVER COINAGE.] The earl of Liverpool delivered a Message from the Prince Regent respecting the Silver Coinage [See this day's proceedings of the Commons]. On the motion that the said message be taken into consideration on Thursday,

Lord *Holland* said, it was desirable that the House should know what the measures were in which its concurrence was required. Did the noble earl mean to move for a committee to consider the subject, and report, or to lay any documents on the table, or give any information to the House as to the particular nature of the measures which were in contemplation with respect to this very important subject.

The Earl of *Liverpool* said, that though this was a subject which belonged peculiarly to the Crown by its prerogative, yet an act of parliament would be necessary to carry into effect certain branches of the measure which it was proposed to take for the accomplishment of this important object. When the bill for this purpose should be brought to their lordships House, it would be his duty to state the nature of the measures, both those which were to be put in operation by virtue of the royal prerogative, and those which it was intended to make the subject of an act of parliament.

Lord *Holland* said, that his question went to a different point. He wished to know whether it was the intention of the noble earl to propose the appointment of a committee to inquire into the present state of the silver coinage, the nature and extent of the evil, and the best mode of applying the proper remedy.

The Earl of *Liverpool* replied, that it was not intended to propose the appointment of a committee.

The motion was agreed to.

HOUSE OF COMMONS.

Tuesday, May 28.

MENDICITY OF THE METROPOLIS.] Mr. *Rose* presented the report of the committee appointed to inquire into the state of the mendicity of the metropolis. The right hon. gentleman entered into a variety of details. He said, that those persons who obtained their livelihood by begging were of different classes, and ought not to be confounded. Some of them were sturdy rogues, who resorted to it from choice, and who accompanied their solicitations for charity by menaces. Others were out-pensioners of Chelsea and Greenwich hospitals, who endeavoured by that system to add to their means of subsistence. The House would see from the report now on the table, the nature and extent of those evils. Another class of beggars consisted of persons whose necessities partly drove them to that practice, and who had no opportunity of returning to their respective homes. In one small court, in the parish of Mary-le-bone, containing only twenty-four houses, there were no less than 700 persons of that description, all huddled together, twenty or thirty of them sleeping in one room. The worst part of the evil resulting from mendicity, related, in the opinion of the committee, to the children employed in carrying it on. It would be seen from the report, that there were infants from two years old, to eight and ten, carried about the metropolis, by their parents sometimes, and sometimes by those who hired them, to obtain by their means, money from charitable persons. It was no uncommon thing to observe twins in the arms of a beggar for several years together, always having the same appearance, and never seeming to grow any older. More capital convictions had taken place of young children, for felonies and other offences, within the last two or three years, than was ever known before. Some remedy certainly ought to be applied, and it had been suggested to have a sufficient number of old men of war stationed in the river Thames, where they might be sent, and educated in a sort of nautical school. He merely mentioned this as a hint which had been thrown out, and which might perhaps be deserving of the attention of parliament. The committee had extended their inquiries into the laws now existing, as applicable to the repression of mendicity, and the weight of evidence certainly was in favour of the efficacy of those laws. He must say, however, that the only law which he knew of was the vagrant act, but that act appeared to him deficient, inasmuch as under its operation the magistrates could exercise no discretion. They were obliged to treat all alike, whatever might be the motives or necessities which impelled them to beg. The committee finally submitted to the House whether it would not be expedient to sanction a further inquiry into the subject, to be carried on by commissioners in different parishes. However, it would be too late to do any thing this session, and he would therefore propose, that early in the next session the subject should again be taken into consideration.

The report was ordered to be printed.

MAD-HOUSES BILL.] Mr. *Rose* brought up the report of the committee on the state of Mad-houses in England, and obtained leave to bring in a bill pursuant thereto. The right hon. gentleman immediately brought up the bill, which was for the repeal of the 14th and 55th of the king, for regulating mad-houses. In moving that it be read a first time, he stated that the committee had, after the most patient investigation adopted the provisions of the present bill, which principally were, that, instead of the physicians of the neighbourhood, or those in and near the metropolis, together with a neighbouring magistrate, being the inspectors of such establishments, they should be twice a-year examined, &c. by eight commissioners appointed by the secretary of state for the home department for that purpose, throughout the kingdom. The commissioners to be assisted by two of the local magistrates in each district, armed with equal powers, and the members for counties were to share this privilege. There was also a provision in the bill relative to the erection of lunatic asylums in counties, and ordering the reception therein of pauper lunatics, who were allowed at present to range abroad, to their own and the public injury.

Lord *Binning* took that opportunity of stating, that early next session he should move for leave to bring in a bill to establish in Scotland certain public places for the reception of criminal and pauper lunatics.

Mr. *Lyttelton* suggested the propriety of levying a small county rate to enable parishes to send pauper lunatics to proper asylums for their reception. The expense would be trifling, and the benefit considerable.

PRINCE REGENT'S MESSAGE RESPECTING THE SILVER COINAGE]. Lord Castlereagh presented the following Message from the Prince Regent:

"George *P. R.*

"The Prince Regent, acting in the name and on the behalf of his majesty, having taken into consideration the present defective state and inadequate amount of the Silver Coinage of this realm, and the importance of applying an effectual remedy to these evils, has given the necessary directions for providing a new and extensive issue of silver coins, and he relies upon the assistance of the House of Commons in enabling him to carry these directions into effect, and upon their cordial co-operation in any further measures which may be requisite for the completion of this important service.

G. *P. R.*"

On the motion of Mr. Wellesley Pole, the said message was ordered to be referred to a committee of the whole House on Thursday.

TRINITY HOUSE.] Mr. *Rose*, pursuant to notice, moved for certain papers respecting the receipts and expenditure of the Trinity-house. He observed that a charge had been brought against that most respectable body of having unworthily applied to their own purposes those revenues which were intended to be otherwise used; and they had, in consequence, made an unanimous request to him that he would call for all such papers as would throw the utmost possible light upon the subject. He had no doubt, that, when those papers were presented, they would be found to contradict every assertion made by the hon. gentleman opposite, on a former occasion. He did not mean to charge him with deliberate misstatement, but he hoped it would render him a little more cautious in ascertaining the grounds of a serious charge before he brought one in future. It had been stated that the annual revenue of the corporation was 174,000*l.* instead of which it turned out that the average revenue of the last two years was only 82,000*l.* per annum; and that average had been increased in consequence of the unusual number of foreign vessels which had arrived during the period. The average of the two years preceding was not more than 70,000*l.* The next charge related to the surplus pilotage, and it appeared that that surplus had been applied to building alms houses for decayed pilots. He should like to know how it could be better employed. The right hon. gentleman then went into other statements, and contended, that until within the last week the breath of calumny had never ventured to arraign that corporation. If their revenues had increased, so had their charities. Their pensioners were now more than doubled, being 7,000 at the present moment. They had also increased the number of alms houses. He thought it but fair, when they were so unjustly attacked, that their real conduct should be exhibited in its proper light. He concluded by moving for various papers connected with the amount and application of the funds belonging to the Trinity corporation, the number of alms houses which they had erected during the last ten years, and the persons receiving pensions for the same period.

Mr. *Birch* felt it necessary to defend himself from the unmerited attack which had been made upon him by the right hon. gentleman. He would appeal to the recollection of the House, if he deserved such an attack; or, if any member, in calling for the accounts of a public body, was to be deterred from the discharge of his duty by threats of this kind, which, if tolerated, would amount to an extinction of the independent functions of a member of parliament. But notwithstanding what the right hon. gentleman had said on this subject, he would still fearlessly pursue the path of his duty. Now, on the point of the proposal from Liverpool, relative to the Isle of Man lights, which had been alluded to by the right hon. member as emanating from the merchants of Liverpool, the contrary was the fact, for he was in possession of a letter of the right hon. gentleman, dated 14th November, 1814, and addressed to the accredited agent of the Trinity corporation, stating a proposal from the right hon. gentleman himself on this subject. On the subject of pilotage, the right hon. member had stated, that 27,000*l.* had been actually applied of the profits to the maintenance of alms houses. It was very singular to observe on this part of the subject, that 160*l.* a-year was the sum regularly charged for the repairs of those houses—a sort of lumping sum, which appeared very extraordinary.—The hon. member then read the opinion of lord-chancellor Northington, which he had already quoted, showing that the power of the corporation had been misapplied if they did not scrupulously devote the balance of their profits to charitable purposes. The expense of 30,000*l.* or 40,000*l.* for the Trinity-house, the right hon. gentleman had said, was an old expense, and paid for long ago; but did the circumstance of its having been paid for sanctify the expenditure, or render an inquiry less necessary into the fact of the expense?—He would again advert to what the right hon. gentleman had said on the affair of the commissioners of northern lights at Liverpool, and he would ask that right hon. member whether he had not himself addressed a letter to Mr. Gladstone, dated the 5th of May, in which he, on the part of the corporation, declined the offer of lighting the Isle of Man position, on the ground that the Trinity-house doubted the extension of their powers to that island. On the subject of patronage, he had to say, that it was rather singular that in looking at the appointment of master of the Trinity-house, such alterations should have been made as their history disclosed. Mr. Pitt was first appointed; earl Spencer succeeded him, but on the change of administration was put out to make way for the duke of Portland, who, however, as well as his successor, the marquis of Camden, continued to hold the office after they had ceased to hold the responsible situations in administration. It was therefore rather extraordinary that a member of one administration should be removed from the office of master in a political change, whilst others, of different modes of thinking, were still retained in their situations. The hon. member concluded by stating, that what he had formerly said, arose from his opinion of the facts of the case, and whether it was 120,000*l.* or 80,000*l.* he still thought some reduction ought to be made in favour of the shipping interest. As to his motives for having called the attention of the House to this subject, he was so convinced of the propriety of what he had urged, that he would not gainsay a word he had uttered.

Mr. *Rose* in explanation said, that three years before the date of his letter alluded to, the proposition from Liverpool had been made to the Trinity-house.

Sir *W. Curtis*, with much warmth, defended the corporation of the Trinity-house from the imputations that had been cast upon them.

Mr. *Tierney* said, that he had not had the advantage of being in the House on a former night when this subject was discussed. From what he heard at present, however, he was at a loss to see how the corporation could have been attacked in the manner alluded to. All he could understand was, that his hon. friend had been forestalled in his motion for an inquiry for papers by the right hon. gentleman opposite and he could now see very plainly that the right hon. gentleman was anxious to forestal the argument of the case. Had his hon. friend, indeed charged the corporation of the Trinity-house with corruption, the argument of the right hon. gentleman might have been consistent: but, as it was, he had only imputed to them, as a body, that careless negligence of their funds, which they, in common with every other corporation in the empire, were subject to, namely, that as they grew rich they became careless.—His hon. friend's notion of the respectability of the corporation was precisely of the same nature. He had no objection to their having a good house, and of course a good house-warming. But it was rather strange, that the right hon. gentleman's objection on this occasion went not to the production of papers, for he had himself moved for them, but to the mere fact of asking for them. It would therefore appear that if his hon. friend had admitted there was nothing so proper as a magnificent building like the Trinity-house, and suitable dinners within its walls, there would have been no objection to his motion. As to the patronage, he believed they had a great deal. They had invariably been the supporters of Mr. Pitt's system, through thick and thin. He concluded by saying, that no imputation had been cast on the individual conduct of the corporation; all that had been intended was, that when corporations amassed large sums, they ought to be strictly looked after.

The motions were agreed to, and the papers severally brought up afterwards, and ordered to lie on the table.

Austrian Loan.] Mr. *Hammersley* rose, pursuant to notice, to bring under the consideration of the House the subject of the large debt due by the Austrian government to this country. He could assure the House, that in entering on the discussion of this question, nothing could be further from his wish than to diminish the good understanding so happily subsisting between the two countries. His only object was, to maintain that spirit of vigilance, and that superintending control over the public expenditure, which peculiarly fell within the duty of that House in times of such general difficulty and distress. He should, in the first instance, therefore call to their recollection, that in February 1795 a message was brought down to the House from the throne recommending the adoption of such measures as might enable Austria to make those efforts which her government was then disposed to exert against the common enemy. For this purpose the raising of a loan in this country was deemed the most advisable course of proceeding, and Mr. Pitt distinctly said in his speech on that occasion, that the treaty would contain an obligation on the bank of Vienna for the repayment of 400*l.* for every 300*l.* that might be advanced. As a further security, it was added, that measures would be taken for enabling this country, in the case of nonpayment, to sue the emperor in his own courts, agreeably to the laws and constitution of his states. On that occasion Mr. Pitt had asked, whether it was probable that the emperor of Austria, having given such securities, could hesitate to pay the loan, and trample on every principle of justice? The treaty was finally concluded upon the principle that his majesty the king of Great Britain was to possess the power of recovering both principal and interest. The whole sum advanced in 1795 was 4,600,000*l.*, for which an annuity of 115,000*l.* was granted. In the year 1797, a sum of 3,669,000*l.* was advanced, payable by an annuity of 110,000*l.*: and the dividends due on the money thus subscribed had been regularly paid at the bank of England. The whole of this debt including the arrears of interest now amounted to 14,141,000*l.*; with regard to which, no communication had hitherto been made to parliament. As twenty-one years had now elapsed without any notice being taken by his majesty's ministers in that House of this clear and acknowledged debt due by the emperor of Austria to the suffering people of this country, he would refer for a moment to a treasury minute dated so recently as the 15th instant, which presented an account of the funded and unfunded debt of Great Britain, and which was quite exclusive of the imperial loan. This minute did not represent, then, this debt as a charge upon this country, and it could belong to no other party than the Austrian government. The treasury themselves took no cognizance of it as a burthen obligatory on the British people. In every way the debt continued to be recognized as binding the emperor, and the House ought to come to some understanding or other with regard to it. He felt it his duty, in the character of a trustee for the people to ask for some information. If the court of Vienna had been induced to act during the late contest upon an implied assurance that the claim in question should be given up, then, whatever might be his opinion of the conduct of his majesty's ministers, he should not deem the revival of it consistent with the justice or generosity of this country. He even thought we had rightly abstained from pressing it during the period of Austria's distress, when she stood stripped of her Italian and Belgian provinces; but Austria was now in a very altered situation, and although deprived of Belgium, she had greatly increased her positive strength by the acquisition of Venice, by which she had become also converted into a maritime power. Her dominion now extended on one side over the Tyrolese Alps, and the fertile plains of Lombardy; on another, it covered Istria, and Hungary, and Dalmatia; whilst on the north it penetrated into Poland. Her empire embraced twenty-six millions of an improved and active population, was watered by immense rivers, and enriched by a fertile soil. It was impossible for him, when he surveyed her under this aspect, to entertain a doubt but that some practicable arrangement might be adopted for at least the payment of the interest, which now amounted to no less than 650,000*l.* a year, and which would afford a material relief to the people of this country in its present financial situation. Why should Austria not be called on, as well as ourselves, to pay for those mighty advantages she had acquired. He was happy to have one precedent which appeared to him to be completely in point, and to apply directly in corroboration of his argument—he alluded to the convention entered into with the Prince Regent of Portugal in the year 1809, by a right hon. gentleman (Mr. Canning) not then present. It was an arrangement for the purpose of raising a loan for the service of Portugal, in this country, to the amount of 600,000*l.* Part of this was to be immediately employed in the liquidation of antecedent claims; and the island of Maderai was to be transferred as a security for the repayment of the entire debt. By this means the process of liquidation had gone on at the rate of 57,000*l.* a year, till it was conclusively settled at the late congress. He considered the present a most favourable opportunity for entering into some arrangement with Austria in relation to this subject. He trusted even if his majesty's ministers should be indisposed to use any pressing solicitations for repayment that a knowledge of the sense entertained in that House might render the Austrian ministers themselves averse to remain the willing debtors of unwilling creditors. If the noble lord could show to the House that any understanding had been come to with regard to a future settlement, he should feel satisfied; but he hoped the House, no more than himself, would be content with mere general assertions. As the trustees of a distressed public, they owed it to their own honour and honesty individually and collectively, to see that the money raised from the pockets of the people was wisely and economically applied. He should move therefore, "That an address be presented to his royal highness the Prince Regent, humbly soliciting his royal highness to take into his consideration the sum due to Great Britain from Austria on account of the loans raised by that state in this country in the years 1795, and 1797, and which were guaranteed by Great Britain, and that his royal highness will be pleased to direct his ministers to enter into such negociations upon this subject as may lead to arrangements satisfactory to both governments."

Lord *Castlereagh* said, he should trouble the House with very few observations, for the purpose of showing that this was not a proper opportunity for entering into any negociations with Austria, in the views entertained by the hon. member. He had no doubt certainly with regard to the obligation originally imposed on Austria, and as little of the sincerity with which it had been accepted on her part; but it could not be denied, that the circumstances and whole character of this transaction were such as had always produced a strong impression that loans so raised stood but on an infirm tenure, and the practice had ever since been, as more consonant to the manly and enlarged policy of this country, to advance our supplies to the states confederated with us for a common object in the shape of subsidies at once. He could not admit that Austria ought to be considered as lying under any reproach in not having yet indicated any disposition to discharge this debt. Certainly, no power had resisted the calamities of the French revolution with more energy or perseverance. She had never retired from the contest except under the impulse of necessity and when it was deemed impolitic by the allies that her exertions should be pressed any further. If the number of years were computed during which she had maintained the struggle, together with the scale upon which its operations were carried on, it was impossible that the internal exhaustion and impoverishment of her monarchy should be a matter of surprise. He was ready to admit the strength and extent of its present position, and regarded it as highly congenial to the general interests and permanent tranquillity of Europe. That position, however, had been but newly occupied—far too recently to have enabled her to repair her shattered resources, or to introduce any thing like order into her system of finance. The finances of no country had ever been depressed to a lower point. The paper credit of that country depended on the authority of the state—not like our own, on the responsibility of a commercial body. He desired at the same time not to be understood as representing the debt to be obliterated, but, on the contrary, as subject to be revived in the ordinary progress of diplomatic intercourse. Circumstances might even arise that would render the renewal of the claim an act both of good faith and statesmanlike wisdom. All he at present insisted was, that the present period was most inopportune. Nothing could be more unwise than to approach a government with such an application at a moment when it was notorious that it was impracticable to satisfy it. That this was not merely his own view of this question was sufficiently proved by the fact, that since the year 1799 none of the different cabinets which had existed in this country had made such an application to Austria; but, on the contrary, had all continued to feed her with subsidies, whenever her efforts were directed against France. In 1806, Mr. Fox, so far from pressing any claims, authorized the payment of the arrears due on former subsidies; and in his opinion rightly did so, although Austria had at that time retired from the war. With respect to the late negociations, a sum of five millions had certainly been assigned to her as her share of the French contributions, and at first view nothing appeared easier than that this should be immediately paid over into our hands; but the necessity of strengthening Austria by giving her a priority of claim was recognised by all the allied powers. Whilst he did not therefore propose any surrender or oblivion of the debt in question, he considered it most consistent with a high sense of honour and with sound wisdom not to attempt extorting payment from a power so situated as Austria, and he therefore felt it his duty to move the previous question.

Mr. *John Smith* contended, that the noble lord ought to have gone further into the details of the disability of Austria to discharge her debts. He had not long since presented a petition which expressly referred to the relief that might be afforded to the country by the repayment of this money. Were the debt and taxes of Austria greater than our own? It might be good policy to abstain from pressing this demand during the continuance of the war, and even to vote additional subsidies. He doubted, however, whether the distress of Austria at present exceeded our own, which he was sure went beyond all former precedent. It was incumbent on the House to satisfy the public that ministers had done their duty in the conduct they had pursued with regard to this transaction, and not to remain contented with the statements of the noble lord. He thought the motion of his hon. friend extremely just, and hoped he would divide the House upon it.

The *Chancellor of the Exchequer* thought it a sufficient vindication of his majesty's ministers, that although such a supply as the repayment of the Austrian debt must have been at any time extremely popular, as well as a considerable relief, none of the different ministers who had conducted the government for the last twenty years, had taken any measures for its recovery. If the hon. gentleman wished for further information as to the means possessed by Austria for discharging these engagements, he would remind him that previous to the last war the Austrian paper was at a discount of 80 per cent; it was, in fact, reduced in value to one-fifth of its ancient amount, and that fifth was now greatly depreciated. He thought the House should reserve its high interposition until the circumstances of Austria would enable them to act with effect. At present they could only throw a slur upon the remissness of Austria, which it would be more prudent to avoid.

Mr. *Law* thought his hon. friend fully justified in bringing this question under the consideration of parliament, but at the same time considered the difficulties of Austria so great as to preclude the possibility that our claims could be successfully pressed. He believed it to be of the highest importance that Austria should be strengthened in her relative situation in Europe, and that it was a narrow view of the question, as it embraced even our own interests, to overlook that paramount consideration. Austria was on all sides surrounded with formidable states, and the maintenance and improvement of her central position was indispensably requisite to the permanent repose of the continent. On the subject of her finances he believed it would be a vain attempt to extract any precise information, even from the Austrian government itself; but he had some reason to know that the sum total of her debt amounted to 4,000 millions of French francs. With respect to her territories she was peculiarly situated: from Hungary she derived an army of 66,000 men, who supported themselves, and she derived nothing else: her hereditary dominions supplied her also with troops, whom she was compelled to pay with taxes levied in her annexed possessions in Italy and Poland. He mentioned these circumstances because they might serve to show how unattainable, in the present condition of such an empire, must be the object of the negociations suggested by the hon. mover. However great our own difficulties, those which pressed upon Austria were still greater. The only effect of setting on foot such an application must be to mar the result of those arrangements which had been entered into at congress for the purpose of securing the independence and tranquillity of Europe.

Mr. *W. Smith* imagined that the hon. member who spoke last did not understand the motion, which by no means pressed for the payment, either of the loan or of the interest. All it required was, some species of acknowledgment, on the part of Austria to prove to us that the debt was not forgotten. He was convinced, that although other countries might have suffered more severely from the presence of French armies, this country would continue to suffer the longest of any. He said he entertained considerable doubts whether it would not be better to look the situation of the country fairly in the face, and, by what the right hon. gentleman would call a national bankruptcy, but which he did not so consider, induce the stockholder to consent to a reduction of his interest, rather than to go on for years squeezing the people for that which they were so little able to pay.

Mr. *Brougham* wished to notice what had been said of Mr. Fox's administration having set the example of making no claim of repayment on the Austrian government. It should be recollected that Austria, so far from being then in a career of prosperity, had been reduced to the last extremity by the battle of Austerlitz, than which no moment could be more unfavourable for pressing the claims of this country. He perfectly agreed in the policy of cultivating the friendship of Austria, and of regarding her as one of the pillars of Europe, without whose greatness, in reference both to Russia and France, there was no room to look for stability. But he thought there could be no harm in reminding Austria that there was this little incumbrance of thirteen or fourteen millions, which she had solemnly engaged to discharge; that she was now in a state of prosperity and peace, and that if she could not discharge it immediately, she might at least place her payments in a train of arrangement. Why, for instance, might not our government ask her to pay a moiety of the interest? He could not help thinking that the noble lord might obtain some acknowledgment of this kind. But it was important also, amidst the present distresses of the country, that the people of England should have a conviction that government had not forgotten the debt. He should only add, that if the negociations entered into with this view were backed and supported by a vote of the House, the noble lord would be able to press the claim with greater effect. A vote of that House would remove to a considerable extent any personal delicacy which the noble lord might feel. Something had been said of the great fidelity of the Austrian government to its engagements, and he wished now to advert to one of those engagements, which was not of a financial, but of a political nature. It was guaranteed by the powers assembled at the congress of Vienna, that the Poles should have a liberal constitution of government. No steps had yet been taken by Austria and Prussia to fulfil this engagement towards those portions of Poland which were confirmed to them. He understood, however, that the emperor Alexander, to his great honour, had given a free constitution to that principal part of Poland of which he might be considered as the sovereign. He thought it would be well if Austria were reminded of her engagements in this respect.

Mr. *Hammersley* replied. He said, that had Austria paid what she owed to this country, 27 millions more of our national debt might have been redeemed. He calculated that the population of the Austrian states was as two to one when compared with that of this country; and that her taxes, compared with her population, were only as one to six.

The House then divided:

For the motion	16
Against it	43
Majority	27

List of the Minority.

Barham, J. F.
Brougham, H.
Campbell, general
Curwen, J.
Grant, J. P.
Martin, J.
Moore, P.
Morland, J. B.
Newport, sir John
Newman, R. W.
Parnell, sir H.
Preston, R.
Ponsonby, G.
Smith, W.
Tierney, rt. hon. G.
Wilberforce, W.

Tellers.

Smith, John
Hammersley, H.

Roman Catholic Securities.] Sir *J. C. Hippisley*, in rising to submit a motion relative to ecclesiastical arrangements on the subject of the Catholic Claims, observed, that if a motive was wanting for calling the attention of the House to the important subject of Securities against the encroachment of a foreign jurisdiction, it would be found in the Petition recently presented from a large portion of the Roman Catholics of Ireland praying for the unconstitutional grant of unqualified concession to their demands. The principles of restitution, in regard to what was called the exercise of civil rights, was interwoven with the constitution itself. This restriction operated in the first instance upon the first estate of the realm—the Crown itself. The king was bound not to be a Protestant, but to profess the protestancy of the church of England, and the moment he ceased so to do, the Crown fell from his head, and his subjects were absolved, by statute, from their allegiance. This principle of restriction was one which the constitution recognized in many other instances besides that of the Roman Catholic. It recognized it in the persons of revenue officers, in those who held freeholds under the value of 40*s.* who were deprived of the power of voting at elections. The House then could not recognize the claim on the part of any body of men, of that as a right, which the principles of the constitution did not recognize. The House would recollect that on several occasions, he (sir J. C. H.), in speaking on the subject of restrictions by the Crown in the appointment of Catholic bishops, had stated that such was the practice in most countries where the Roman Catholic religion was the established religion of the state. In many of those countries, no rescript or bull could be received from the pope without the inspection and sanction of the government; when such were the regulations in countries which acknowledged the spiritual authority of the see of Rome, he would ask whether they were not more necessary in this country, the constitution of which was essentially Protestant?—but in fact, those regulations did exist in almost every state of Europe, Protestant and Catholic. The hon. baronet then observed, that on one occasion (in 1799) the Catholic bishops had evinced a disposition to concede the interference of the Crown, but at the period of the Union the circumstances to which it was unnecessary to advert interposed, to prevent the ecclesiastical arrangements as far as respected the Catholics from taking place. If they had taken place we should then have heard nothing of those objections which have been subsequently and but too frequently and factiously urged. The hon. baronet then enumerated the several subsequent occasions on which the Catholic bishops met in Ireland, for the purpose of considering the expediency of granting to the Crown the right of interfering in the appointment to vacant Catholic bishopricks. In 1808 they met, and declared by their resolutions, that such interference was inexpedient. In 1810 another synod of bishops confirmed the resolutions of 1808—and in this meeting they expressed their disapprobation of that mode of electing bishops—by chapter, which had since become so popular in Ireland. In 1812 the resolutions and opinions of the six Catholic universities, which had been consulted in 1788-9, relative to the doctrinal opinions of Catholics, were approved; and here he should observe, that he would wish to see laid on the table copies of the correspondence, in reference to those resolutions which passed on that occasion, between Mr. Pitt and some Catholic gentlemen of England. In 1813 a pastoral address had been published by the bishops of Ireland, condemning, in strong terms, the bill which had been introduced that year. The clauses which had been introduced were declared most obnoxious. Here he (sir J. C. H.) adverted to the motion which he made in the same year for the institution of a select committee, which, if it had been adopted, by presenting to the House and to the public a digested statement of those regulations which obtained in other states, would have cut off three years of practical and mischievous misrepresentation from those who had been so actively engaged in disturbing the public tranquillity by their proceedings. The next occasion on which the bishops met, was in 1814, when the rescript of monsignor Quarantotti, which conceded all which the Crown wanted, was disapproved of. The next meeting of the bishops was in August 1815, when they again expressed their decided objections to any interference, direct or indirect, on the part of the Crown. Here the hon. baronet read the resolutions adopted by the bishops on this occasion, which condemned the interference of the Crown, as tending to subvert the Catholic religion, and deprecated the assumption of such authority on the part of the Crown, without their concurrence. He next remarked on the conduct of Dr. Murray, the coadjutor, archbishop of Dublin, who on a most solemn occasion (on Good Friday) had denounced from the pulpit, in terms too plain to be misunderstood, the conduct of all persons who had signed the petition which had been presented a short time back by the member for Dublin (Mr. Grattan). This conduct of Dr. Murray was at variance with that of Dr. Troy, the archbishop of Dublin, who had given it as his opinion that there was nothing in the petition which militated against the doctrine or discipline of the Catholic church. From what he (sir J. C. H.) had stated, it would appear that any voluntary concession would not be made by the bishops of Ireland on the subject of restrictions. Yet that the interference of the Crown in such matters was not inconsistent with the doctrine and discipline of the Catholic church, would appear on reference to the history of all Catholic states. He then read an extract from the Austrian ordinances, showing that in all the dependencies of the House of Austria, Hungary, and Bohemia, such was the uniform regulations in every state of the continent of whatever religious communion. Having stated these facts, and showed the difference of opinion that prevailed on the subject of interference with the nomination of the Catholic bishops, he should take the liberty of suggesting to the committee, for which he should move, if the House thought proper to appoint it, the propriety of fully examining and stating the power which foreign potentates exercised with reference to the appointment of Catholic prelates in their dominions, and to the general practice which prevailed of inspecting the correspondence carried on between the see of Rome and their Catholic subjects. The hon. baronet then adverted to the necessity of altering our laws relative to correspondence with the see of Rome, which could not be suffered to stand as they were at present. Every bull and rescript received from Rome, subjected the person receiving it to the penalties of high treason. Such a correspondence was now connived at, but it was impossible, in the present enlightened state of the world, that a law of this kind could be suffered to remain, to the disgrace of our statute book. The hon. baronet concluded by moving, "That the several official papers relating to the regulation of the Roman Catholics in several states of Europe and the colonies, which have been laid before this House in the present parliament, be referred to a select committee; and that they do report the nature and substance of the laws and ordinances existing in foreign states respecting the regulation of their Roman Catholic subjects in ecclesiastical matters, and their intercourse with the see of Rome or any other foreign jurisdiction."

Mr. *Peel* wished to say a very few words on this subject, and could assure the House, that the observations which he had to offer were not likely to disturb the unanimity which he hoped would prevail, or excite any of those feelings which had been frequently displayed in the discussion of this question. In 1812 the hon. baronet had proposed a motion of a similar nature, which was seconded by a right hon. friend of his, and was supported by himself. At that time the House had distinctly pledged itself to make inquiry into the Roman Catholic claims; and he distinctly stated, that he gave his support to the motion on that ground. Under the present circumstances the House had not entered into any pledge, and therefore it would be perfectly consistent in him to oppose the motion. As, however, he saw nothing radically objectionable in it, it certainly was not his intention to oppose it; but, in acquiescing in it, he did not pledge himself that it would remove his objections to those concessions which the hon. baronet might have to offer. He meant to give no opinion as to the ordinances of foreign states, whether or not they were applicable to this country; but he confessed it appeared to him that no securities which the hon. baronet could devise were likely to remove those objections. He also thought, that any motion grounded on securities or concessions on the part of the Catholics, would not meet the general approbation of that body; and as a proof of this, he mentioned the resolutions of the Catholic bishops in 1816, a meeting of which the hon. baronet had made mention. At this meeting, the bishops described the anguish which they must feel at being particularly pointed out as objects of suspicion, as persons against whose practices the common laws against traitors were not held sufficient, and of course they condemned such interference on the part of the Crown, in their nomination, founded on such suspicions. On the whole, he did not think that emancipation could be granted with safety to the country, or accompanied by restrictions with satisfaction to the Catholics.

Sir *H. Parnell* observed, that it was rather hard for the hon. baronet to ascribe to the persons whose signatures were affixed to the petition which he had the honour to present, opinions which, in fact, they had not expressed. When the hon. baronet stated, that they called for unrestricted religious concession, without security, he was not correct. In the part of their petition to which he appeared to refer, they spoke of civil liberties. On this point he was certain, for he had made inquiry amongst those who were best acquainted with the subject: by them he was told, that this point of the petition related to civil rights, and that, with respect to spiritual matters, their clergy would be left to decide. This he believed to be the case; and they would in consequence find, that subjects of church discipline would not in future be agitated in popular assemblies, but would be left, where they now rested, with the Roman Catholic clergy.

Mr. *Lockhart* opposed the motion, because in all changes which we had effected, we had made them on the practice of our ancestors, and not from the principle of the usages and liberties granted to their subjects by foreign states. The hon. baronet, he thought, could not show any precedent for the adoption of the measure he proposed.

Mr. *Elliot*, in acceding to the present motion, said, he did not conceive that he was pledging himself to any particular regulations. He did not ascribe so much value to regulations as many other people did; but they would be of value in the present case, for he knew very well that this great question had little chance of success, unless there was a mutual spirit of conciliation; and he hoped that the Catholic body would make all such concessions as might be deemed necessary for the security of the constitution. He thought, however, that the information which this motion sought was not necessary: we had already information enough to enable us to legislate on this subject. At the same time, considering that there were individuals, both within and without the walls of that House, who were desirous of further inquiry, he should upon this ground give his support to the motion; and he was the more inclined to do so, as, from the advanced period of the session, no legislative measure could be accomplished. He considered it, therefore, as a step of progress, and hoped it would receive the sanction of the House.

Lord *Castlereagh* should not have thought it necessary to trouble the House with any observations, if an hon. member had not expressed an opinion that it was contrary to experience and policy for parliament to inform itself of the mode of practice in other states. The nature and extent of the securities could not be better ascertained than by looking at the practice of foreign governments, at all times, and under all changes. He certainly should wish to be informed; but he understood that the object of the motion was, not to inquire into the privileges which Catholics enjoyed in other countries, but rather into the restrictions which the governments considered it necessary to impose. He must say, without meaning any thing illiberal to the Catholic religion, that so far it was distinguishable from the different sects in this country, that there was a head of that church which exercised great authority as a foreign power, and which had been often placed in the hands of the enemies of foreign states. This was the character of the see of Rome, and it had been the great nicety of government in all states to take care to prevent that see from interfering with their internal affairs. They had thought, and with great reason, that certain precautions should be adopted; because, where the authority of the head of the church existed for one purpose, it might be directed to another. He owned that he could not in the least understand why the Roman Catholics seemed to think that every step we took in legislation, with a view to the common precautions of all states, could be any insinuation against the bishops of Ireland. This was one of the delusions that had so long prevailed on this subject, but he hoped it would soon cease to exist. He thought the inquiry would be extremely interesting with regard to the course of our own policy. He considered the Roman Catholics as interested in the good government of this country, and it was inconsistent that the see of Rome should have an unrestricted intercouse with these realms. There were two distinct questions for the consideration of the legislature: the one, what the nature of the intercourse should be; the other, what the extent of the privileges to be granted. In his opinion, the privileges of the Catholics should be extended according to the intercourse that was suffered to exist. After the Reformation we endeavoured to destroy all intercourse between the see of Rome and the professors of the Romish faith; for the whole policy of our laws, and particularly of the statute of the 13th of Elizabeth, which the hon. baronet had cited, was founded on the supposition that the Catholic religion should not be exercised in these realms. In Ireland, however, the free exercise of that religion was under the protection of the law; and, therefore, if that principle had long ceased, it had also long ceased to be necessary to prohibit all intercourse with the head of the church. When the Catholic bishops said, that restrictions were to be imposed only to destroy their religion, it was an abuse of reason, and contrary to all experience. It must be obvious, indeed, that when we looked at the consequences of the non-intercourse, nothing could be so likely to produce good order and harmony as the alteration of our laws on that subject. He was sorry to say, that it was not in Ireland that the Catholic religion was professed with so much liberality as he could wish: there was more of the *ultra montane* spirit in it than existed in many other states. He could never tolerate, however, that a foreign power should have an intercourse with any of the subjects of these realms, of which the government had no knowledge. Upon all these grounds, and trusting that nothing would grow out of the committee to give pain or reproach to any body, he felt it his duty to support the motion.

Sir *J. Newport* expressed his intention of voting for the motion, though, at a former period, he had opposed one of a similar nature. His reason for supporting it was, because it could not, after the decision of a previous day, impede the success of the Catholic claims, and it would, perhaps accelerate that success by the impression which it might make on the minds of some gentlemen.

Sir *J. C. Hippisley*, in reply, said, that his only object in bringing forward this subject was to produce some rational plan of legislation.

The question was then put and carried.

POOR LAWS.] Mr. *Curwen* rose and said:*

Mr. Speaker;—In compliance with the notice which I have given, I am now about to call the attention of the House to one of the most important subjects which can occupy its deliberations; in which all ranks of society are deeply interested; namely, the enormous and progressively increasing burthen imposed for the maintenance of the poor. This increase has still not kept pace with their increasing misery, during the same period. Whilst the resources of the country have been exhausted, their sufferings have been aggravated. As it is the interest, so it must be the wish of all, that for these great and growing evils some remedy should be adopted.

In presuming to bring forward a matter of so difficult and complex a nature, much apology on my part is necessary. I have

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* From the original edition printed for J. Bell, Oxford-street.

not, however, had the rashness to enter on it as a volunteer: it is undertaken at the express instance of my constituents, and in consequence of a promise which I made to them. I have not ventured to take it up till I had ascertained that his majesty's ministers had no such intention, and till all hope had ceased of any gentleman, more competent to the task, engaging in it.

In the north-western counties, and particularly in the neighbourhood of Carlisle, great inconvenience is sustained from the influx of Irish and Scotch in search of employment: failing in this, they become a charge to the rates, and after forty days residence are not removable. Two several bills were introduced into this House for relieving the northern part of the kingdom from the burthen of these settlers. It was imputed to me, that I was instrumental in defeating these two bills, and I do admit that, great as were the evils which they were intended to cure, they appeared to me measures so unjust and oppressive, as not to deserve the countenance of parliament.* To procure the relief which the case required, a material change in the law of settlements must have been effected, and the difficulties attending this were not much less than those which a review of the whole system imposes.

It is undoubtedly desirable that all measures of this importance should originate under the sanction of government: their channels of information are so much more numerous and accurate, and the support which they are enabled to give to measures which must be attended with numerous obstacles, is much more likely to overcome them. Still I am bound, in justice, to return the noble lord my thanks for the ready support which he has been disposed to give, in order to bring before the House the plan which I mean to propose. The subject is one, undoubtedly, unconnected with all party feelings, and requires the aid and support of the abilities on all sides the House, which it shall be my object to obtain. The call, on the part of the country, on this House, to go into an inquiry on the poor laws, has been general: I trust, therefore, however unequal to the task, that I shall meet with indulgence proportioned to its difficulties. With the aid of a committee composed of gentlemen most conversant with the subject, a bill may, I flatter myself, be formed, which may afford a remedy for the existing evils.

In this late period of the sessions, it is true, much progress cannot be expected to be made. Personal considerations would have led me to postpone the measure, in order to have employed the interval in seeking more information: desirous, however, of complying with the earnestly expressed wish of many respected individuals, and entertaining the hope, that the plan when made public may excite the attention of others, so as to aid the labours of the committee in the next sessions, I have determined now to propose it.

I shall first shortly advert to the plans of those who have preceded me. Mr. Gilbert and Mr. East had each bestowed much time and attention on the subject: on their suggestions some important alterations have been made. The merit of these I propose not to question;—the radical defects of the system were not to be cured by palliatives, however wisely imagined; and, in fact, the evils resulting from the poor laws have since rapidly augmented.

Mr. Pitt's splendid talents will not be questioned by those most adverse to his political conduct. The magnitude of the evils just alluded to, induced him to undertake the application of a remedy, but his bill did not, I believe, even travel into a committee, and he himself was convinced of its inadequacy. More recently, a gentleman eminently qualified from his knowledge of the subject, and whose great abilities and indefatigable attention pointed him out above all others as the fittest person for this undertaking, was not more successful. The able and eloquent speech of Mr. Whitbread on the occasion will be a lasting monument to his memory, equally creditable to his head and heart; valuable also, as it affords convincing evidence, that he viewed the source of the evil in the poor laws themselves. The remedies proposed by him were the extension of education to the poor, and a national saving bank. The views of sir William Pulteney, which Mr. Malthus seems also to have adopted, were to fix the amount of the sum raised in each parish, and to take off annually a certain proportion, till the whole was annihilated, and thus to let the poor laws expire. The plans proposed by Mr. Gilbert, Mr. East, and Mr. Pitt, were designed to regulate indeed, but to maintain the present system; those of sir William Pulteney, Mr. Whitbread, and Mr. Malthus aimed at its abolition. With the latter gentleman I perfectly agree, thinking that nothing less than a total change of system can cure the evil. The abuse of the poor laws has transferred from the individual to the public, not merely the charge of providing for the casualties and misfortunes incident to humanity, but for the direct consequences of men's vice and folly. Economy and forethought are banished; improvidence and immorality encouraged. To restore the respectability and the happiness of the inferior classes, they must be brought back to those manners from which they have swerved. Their general good sense I think as highly of as any man, but, misled as they have been by depending on parochial relief, an immediate and complete reformation is not to be expected. From the debasement which has arisen out of that system, gradually operating for two centuries, half that period may perhaps be necessary before the stain can be removed,—until this can be effected I would by no means recommend any other than a gradual change in the system. In place of the present I shall recommend another, from the adoption of which the same mischievous effects may be hoped not to result. The present fabric is too massy to be at once removed, but it may be by degrees undermined, and another substituted.

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* Power was given to overseers to remove any native of Scotland or Ireland, who might appear to them likely to become chargeable.

The statute of the 43d Elizabeth has, whether intended or not, given to every poor man now in existence a perfect right of maintenance. This right I admit to its utmost extent: to innovate on it, I also admit, the fullest proof must be adduced, that the change is for the poor man's own benefit. Conscientiously satisfied that such ample proof can be offered before a committee, the first step I apprehend will be its appointment. Evidence may there be adduced, that the effect of the present system is to degrade the poor man as well in his own estimation as in that of the persons on whom the charge of maintaining him is devolved,—that his happiness is at an end—his existence embittered. The relief bestowed on him may remove indeed the cravings of hunger, but it is at the expense of all the best feelings of his nature. To restore independence of mind to the labouring classes is an indispensable ingredient in every plan for bettering their situation. Need there be any other proof requisite of this than the superiority of our people, on the whole, over every other nation. Whence does this arise? Is it not among the blessed fruits of our free constitution, inspiring independence of mind and action, giving consequence in his own eyes to every member of the community? Hence has arisen the glory, the pre-eminence of England. Extinguish the vital spark of liberty, destroy the political character of the people, and we shall soon sink to a level with countries groaning under despotism! Is it then consistent either with sound policy, or with humanity, that three millions of people, or nearly a third of our population, should be suffered to remain in the degraded state of pauperism? The loss of public estimation takes away a principal incentive to right action, and lessens the influence of moral principle, which places the reward of merit in the esteem of the virtuous. On this ground, beyond all others, does this measure press itself on the consideration of the House.

The sums now collected for the poor are an intolerable burthen: the industrious, who are now compelled to contribute to the support of the idle and the profligate, though their utmost exertions are hardly adequate to procure support to their own families, are daily depressed into the class of paupers. It will not be questioned by those who have paid attention to the past and present state of the poor, that their moral condition has undergone a most unfavourable change, and particularly within the last fifty years, during which period the sum collected for their maintenance has quadrupled. The increased wealth of the nation, advancing their wages, has at the same time lessened their happiness. By destroying the principle of economy their wants have augmented beyond their earnings. The present moment has acquired undue preference, as compared with the future Much is this change to be lamented, as it operates on their moral and philosophical happiness. Moral happiness dwells in the mind; philosophical happiness consists in wanting little: in contradiction to it, worldly or vulgar happiness is to want and enjoy much.—Thus it will be invariably found, that where the earnings are greatest the forethought is least. I have had an opportunity of being convinced, thoroughly, of this fact, from the circumstance of employing two distinct classes of persons; one, miners, whose earnings are from 20*s.* to 30*s.* a week; the other, agricultural labourers, whose wages vary from 10*s.* to 15*s.* Whilst those with the larger wages are perpetually contracting debts with all those with whom they deal, the others pay their way, and have the appearance, at the same time, of possessing more comforts. The want of economy is the source of misery: the poor-rates, which have this direct tendency, have therefore had the effect, I humbly conceive, to destroy the happiness of the poor, at the same time that they waste the wealth of the public.

It is not my intention to found any part of the plan proposed on the existing poor laws, but rather to anticipate their speedy extinction, or, at least, to confine their operation to the relief of the description of poor designated by the 43d of Elizabeth; I shall not, therefore, trouble the House with more than a very cursory view of their rise and progress, in order to show their effect in destroying the comforts and happiness of those whom they have been applied to relieve.

The emancipation of the labourer from feudal bondage caused numbers to quit their former habitations, with the hope of bettering their condition. Those who were disappointed in procuring employ, were driven to seek a precarious subsistence on charity. By these means mendicity was increased to a degree occasioning great inconveniences to society, and the most severe sufferings to large classes of persons. This produced a variety of statutes, permitting begging of alms, and enjoining charity towards the indigent. The author of the Mirror states, that by the common law, the poor were ordered to be subsisted by parsons, rectors of the church, and the parishioners, so that none of them die for default of subsistence. In what a state must society then have been, to induce the legislature to enforce charity by act of parliament! The dissolution of monasteries rendered the situation of the people still more deplorable, and augmented the number of mendicants.* To what an extremity this at length had come, may be inferred from a statute passed in the first year of the reign of Edward 6th, "It is enacted, thar if any one shall be idle for the space of three days, he may be seized and set to work: if he attempt to escape, and shall be absent for the space of fourteen days, and then retaken, he shall be branded with the letter S, and become the slave of his employer." Miserable must have been the state of the country when such an inhuman remedy could be suggested. This statute remained in force for near four years; a dreadful monument of the misery of the times, and of the little consideration paid to the voice of humanity.

During the reign of Elizabeth, the state of the poor often occupied the attention of parliament: in the 43d year of her reign was passed that statute on which the present system of poor laws is founded. It is highly important to attend to the terms of the enactment by which relief is granted. "For the necessary relief of lame, impotent, old, blind, and such other among them being poor and not able to work; and also of putting out such children to be apprentices."

Such others amongst them being unable to work can only be construed to relate to the preceding description of lame, blind, &c. yet, strange as the construction appears, it has been made the foundation on which maintenance is granted to all classes of persons. The indigent, the idle, the profligate, have all equal claims for support: distinction between vice and virtue there is none.

If a doubt can remain on the mind of any one as to the views with which this statute was framed, I would refer them to the sum fixed, beyond which no parish could be assessed: this was restricted to sixpence in the pound on the value of rateable property. If we consider the annual revenue of the kingdom to have at that time amounted to five millions, and every parish rated to the utmost, it would have amounted to one hundredth part, or fifty thousand pounds. Most probably, it did not reach half this sum, or above twenty-five thousand pounds. I conceive this as affording complete evidence of the limited extent to which parliament intended that the system should be carried.

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* "It is curious," says Dr. Burns, in his History on the Poor Laws, "to observe the progress, by what natural steps and advances the compulsory maintenance becomes established. First the poor were restrained from begging at large, and were confined to beg within certain districts. Next the several hun-

I question not the humanity of those who have construed it so differently from the sound policy on which it was enacted. It is greatly to be regretted the results have turned out so contrary to their intention. Little did they suppose the effect would be to destroy all economy and forethought,—transferring the maintenance of the labouring classes from their own shoulders to those of the public. Vain is the hope of bringing the law back to its first principles. The evils resulting from this act evidently began to be felt very shortly after its passing. In 1680 the sum raised for the support of the poor amounted to 665,260*l.* If we admit the value of rateable property to have doubled in the eighty years from 1601, and to have reached ten millions, instead of being one-fortieth, or more probably one-eightieth, it was become one-fifteenth.

The feelings and sentiments of the legislature are strongly marked by the acts of the 8th and 9th of William and Mary, for badging the poor. The extreme severity of the law shows how grievous the burthens for the maintenance of the poor were felt, and that it was deemed necessary to check the evil by attaching degradation to pauperism. The humanity of later times has removed it from the statute book: the extent of the evil had long rendered the enforcing it impracticable. The act is so strong a proof of the rapid diffusion of the mischievous effects of the system, that I cannot omit reciting a part of it to the House.

"Every such person as shall be upon the collections and receive relief of any parish or place, and the wife and children of any such person cohabiting in the same house (such child only excepted as shall be by the churchwardens and overseers permitted to live at home, in order to attend an impotent and helpless parent), shall upon the shoulder of the right sleeve of the uppermost garment, in an open and visible manner, wear a large roman P, together with the first letter of the name of the parish or place whereof such poor person is an inhabitant, cut either in red or blue cloth, as by the churchwardens and overseers shall be directed: and if any such poor person shall neglect or refuse to wear any such badge or mark, it shall be lawful for one justice to punish such offender, either by ordering his allowance to be abridged, suspended, or withdrawn or otherwise by committing him to the house of correction to be whipped and kept to hard labour, not exceeding twenty-one days: and if any churchwarden or overseer shall relieve any such poor person not wearing such badge, and be thereof convicted on oath of one witness, before one justice, he shall forfeit twenty shillings by distress, half to the informer and half to the poor."

From year to year the malady has been augmenting. The amount of the poor rates in 1760 was not quite two millions: in the last fifty-six years they have quadrupled. It will not, I believe, be difficult to assign the causes that have produced this melancholy change, presenting us with such an accumulated prospect of human misery. From 1760 we may date a great revolution in the state of the country; from that period we began to become a great manufacturing nation; agriculture shortly after declined. By the politicians of those days it was viewed as a subordinate object. The wealth of the country

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dreds, towns corporate, parishes, hamlets, or other like divisions, were required to sustain them with such charitable and voluntary alms, that none of them, of necessity, might be compelled to go openly in begging; and the churchwardens or other substantial inhabitants were to make collections for them with boxes on Sundays, and otherwise, by their discretion; and the minister was to take all opportunities to exhort and stir up the people to be liberal and bountiful. Next, houses were to be provided for them, by the devotion of good people, and materials to set them on such work as they were able to perform. Then the minister after the gospel every Sunday was specially to exhort the parishioners to a liberal contribution. Next the collectors for the poor, on a certain Sunday in every year, immediately after divine service, were to take down in writing what every person was willing to give for the ensuing year; and if any should be obstinate and refuse to give, the minister was gently to exhort him; if still he refused, the minister was to certify such refusal to the bishop of the diocese, and the bishop was to send for and exhort him in like manner; then the bishop was to certify the same to the justices in sessions, was again gently to hear and persuade him; and, finally, if he would not be persuaded, then they were to assess him what they thought reasonable towards the relief of the poor. And this brought on the general assessment, in the 14th year of queen Elizabeth."

was doubtlessly rapidly augmented: luxury spread its baleful influence through all ranks of society. The price of labour rose, and the earnings of the working classes were increased, though not their happiness. The demand for workmen in the various manufactories transferred to them numbers from the peaceful occupation of agriculture. The habits of their former lives were soon lost: higher wages were obtained, more expensive habits acquired, and no thought taken, or provision made, for any reverse. Temporary depressions of trade occurred; the numbers that were thus at once exposed to hunger and the extreme of misery were too great for private benevolence to succour: so numerous were the demands for parochial relief, that all sense of shame was lost sight of. The plague is not more rapid in its progress than this malady has proved itself. The example of one great town quickly extended to another, and in a short period pervaded the whole kingdom. To so shameless a pitch is it now arrived, that pauperism is contemplated and calculated on in the very outset of life: instances are not wanting of parties applying immediately after being married for relief from the parish. What was strictly the sole inheritance of misery is now indiscriminately claimed as a right appertaining to all.

Amongst the agricultural classes this contagion has been spread by other means. Motives not creditable to the parties have contributed to their debasement; with a view of keeping down wages parochial relief was resorted to. The price of grain was taken as the barometer. It does not seem to have been considered what was likely to result from a practice so degrading: by thus rendering the labourer dependent, and compelling him to look to others and not to his own endeavours for support, all economy and forethought vanished; to husband his little gains was to relinquish his own enjoyments for the benefit of a parish. This sacrifice of independence was attended at the commencement with regret; the opinion and respect of neighbours were a strong tie, and operated to keep alive the feelings of independency, when no such means were resorted to, till the late years of scarcity; these have nearly extinguished that honest pride that called forth great exertion rather than submit to pauperism. The mistaken views of some, together with misfortunes of the times, and the effects of example, have nearly reduced the whole of the working classes to a state of pauperism; every sentiment of shame is lost sight of, and with it all consideration beyond that of the present moment. To stop the progress of this alarming malady, in modern times, expedients have been resorted to which bear a strong analogy to the policy which produced the act of the 8th and 9th of William and Mary, I mean the erection of workhouses for the reception of the poor. The principal object of these receptacles seems to have been not to accommodate the needy, but to deter them from applying for relief: as a preliminary every domestic comfort was to be sacrificed—their little property seized for the benefit of the parish—every hope of returning to their own fireside extinguished. Who can view these mansions of misery without horror? This springs from that radical error in the administration of the poor laws which confounds vice and virtue, and equally entitles both to relief. To guard against the idle and the profligate, the unfortunate are the victims. Every feeling heart must deplore that a fellow creature should be exposed to such a cruel alternative.

The best regulated poor houses present a dreadful state of existence—a society with no one common bond of feeling—every endearing relation destroyed. In its place a principle of savage selfishness pervading all classes—engendering mutual jealousy and hatred. Age, infirmity, youth, idleness, and profligacy indiscriminately huddled together. Can any mortal contemplate such a conclusion of life, and not bless the attempt to preserve him from it? I put it to every gentleman's feelings who hears me, if he can doubt the poor of England will hail any change of system which will in its operation secure to them the enjoyment of their peaceful habitations and domestic comforts? Yes, they will gratefully acknowledge to God and you the escape from this misery, which the poor laws now hang over their head.

Every motive of humanity as well as policy calls on us to endeavour to devise means for securing so large a portion of our fellow-creatures from the degraded situation to which they are reduced. Eight millions expended, and that without promoting the happiness of one individual who participates in it. If the evil is suffered to proceed, the whole industry and revenue of the country will be inadequate to support the poor—not a comfortable, happy, but a dissatisfied and degraded poor, who discover when it is too late, that improvidence and want of economy, which makes them a burthen to others, robs them of every comfort of life.

Such are the baneful effects of these laws, their contaminating influence is felt by all ranks. In the higher orders it has lessened those feelings of compassion and interest that would otherwise have been felt for the afflicted: the resources of a parish suspend the claims of charity.

In destroying this system you will render mankind more alive to the feelings of benevolence; every one will then find he has a duty to perform, which under existing circumstances he may consider as not imperiously binding on him.

A sum of eight millions judiciously applied to the relief of the really necessitous and industrious poor would extend the scale of comforts, which might be afforded them infinitely beyond whatever has yet been in contemplation or practice.

The labouring classes of Great Britain are, at the bottom, a reflecting and moral people, capable of forming a correct judgment on any plan proposed for their benefit. They will not be slow in appreciating the advantages of depending on their own exertions rather than trusting to those of others. I may be too sanguine in the views I have taken: my firm belief, however, is that some plan founded on the principles which will govern what I shall have the honour of submitting to the House, would meet with the approbation of a great majority of the lower orders. No period for the discussion of this momentous question can be more favourable than the present. Splendid as is the renown which the nation has acquired by its naval and military exploits, these will not form the most brilliant and striking feature in the future history of the present times. The admiration of succeeding ages will be directed to that revolution that has and is operating on the moral state of man by the system of education introduced by Bell and Lancaster, which in its progress will multiply the happiness of every succeeding age by increasing its habits of virtue and probity. In twenty years we may fairly contemplate that there will scarce be an individual to be found who will not possess the means of making himself acquainted with his duty to God and man.

The blessed effects of a general system of education, I hold equally high with Mr. Whitbread, and consider it as the foundation on which is to be built any system for bettering the condition of the people of England. Whatever can lead men to curb their passions and teach them to oppose the future to the present, must be attended with the most important results to their happiness.

Disposed as I am to look to education as a most powerful auxiliary, so great is the evil with which we have to contend, that it would not, in my humble opinion, be safe to confide in any plan that did not offer not only an equal, but extended scale of support for the afflicted.

I am neither called on nor disposed to enter into the discussion of any abstract principles. It matters not whether every human being be entitled to a support from the produce of the earth; or that the most imperious duty on man after the payment of debts is the exercise of charity. I am disposed to allow every latitude that can be required to the claims of misery, and to agree that the exercise of benevolence is the highest source of human enjoyment.

Nor is the axiom less true that it is an imperious duty, binding on every mortal, to exert his utmost endeavours for the support of himself and those he has contributed to bring into the world. By the sweat of his brow man is ordained to earn his bread. No claim can honestly be set up for relief till every effort has been made and failed. The neglect of this principle has brought on the nation the evils it now endures; unless the consent and opinion of the working classes can be brought back to a recognition of this truth, it is in vain to look for relief from any remedy that can be proposed.

To one half of the empire only do the poor laws extend. Great as is the scale of misery that unfortunately prevails in Ireland, constant and unceasing as are the claims for relief, the appeal is never without effect. To the honour of that country its charity is unbounded. The stream of benevolence flows unceasingly, the indigent themselves view it as an indispensable duty not to refuse their mite. This affords a proof that when there is no other provision than that of charity, all are disposed to exercise it.

In Scotland the number of parochial poor is about one in sixty. The whole poor of that country are calculated from thirty to thirty-six thousand. The expenditure for their support supposed to be about 3*l.* each, and the total expense not exceeding 180,000*l.* Nothing can afford a stronger proof of the influence of moral and philosophical principles on the conduct and character of a nation, than this view of the labouring classes presents. Voluntary charity is in most instances adequate to all the claims of the unfortunate. The scale of crime is as narrowed as that of necessity. Education and attention to the duties of religion produces the happiest effects on the condition of the lower orders in that country, and encourages us in looking to the same effects from recurrence to the same means. Had our system of poor laws extended to that country, its inhabitants would have been equal sharers in the misery which has resulted from them in this country. A corroborating proof of this arises in a parish in Dumfriesshire, where they have funds for the maintenance of the poor, amounting to between two and three thousand pounds per annum. The number of inhabitants in this parish is supposed to be nearly eight hundred, the greatest part of whom are in a state of pauperism, depending on charity for their support. An adjoining parish has a population of 2,500 souls, and there are in it but two paupers. Can any thing afford a more incontestable proof of the destructive effects arising out of a state of dependance, from the poor looking to any means of support besides those arising from their own industry, prudence, and forethought. I might rest the whole argument on the propriety of destroying the poor laws, on this singular instance of the baneful effects of the labouring poor transferring the care of providing for themselves to others. So destructive is the principle, that it operates an entire change in the national character.

I beg to call to the recollection of the House a petition which I had the honour of presenting from the rope-makers at Chatham, complaining that the superannuation pension of from 15 to 20 pounds per annum was inadequate to their support, and did not prevent their often becoming chargeable to the parish. This is a further proof of the consequences of transferring to others the care of our own concerns. Reliance on these funds destroys that prudent forethought, that can alone keep the lower orders from a state of dependance.

To the fostering care and attention of a right honourable gentleman (I mean Mr. Rose) in the establishment of Friendly Societies much praise is due. I am sensible they have been of great national service. At the same time it must be admitted that the system is liable to great objections. In the first place the relief they afford is in very many cases inadequate to the necessities of the party, and compels a recourse to parochial assistance, which is destructive of the first and most important principle. The loss of time and consequent expense attending these establishments are serious objections: where the payment of every member is alike, it is in vain they can be expected to consent the allowances should be proportioned to the individual wants of the party. The present moment outweighs all considerations for the future. I have often attempted the application of the principle of giving with some regard to the number of children, but could never succeed.

I now come to the immediate consideration of the plan I would with great deference suggest as a substitute for the poor laws. It may probably entitle it to a more favourable reception when I state that it is not founded on mere theory. It has the experience of upwards of thirty years to plead, in which period it has raised above 20,000*l.* Much individual misery has been solaced, the pressure on the parties has been light, and but for this compulsive forethought, probably the whole, or by far the greatest part of this sum had been wasted or spent in public houses. It cannot be denied that from drunkenness arises, in a very great degree, the miseries of the lower orders. Few who would not be enabled, by the sacrifice of a part of what is spent in the destruction of their health and the happiness of their families, to provide an ample fund for the casualties of life. The workmen employed in the Workington and Harrington collieries are constrained to contribute 6*d.* a week to a fund for their mutual support—the proprietor paying a third of the sum subscribed. The scale of weekly relief is considerable; in case of serious accident the party has a guinea in advance to supply immediate wants, medical assistance is provided. A sum of money is given on the death of parent or children. A committee chosen by the workmen have the management of the funds, and is presided over by an agent. In this point I must admit it has been failing. The strict application of relief to proper objects has seldom been sufficiently attended too. Indeed it was scarce to be expected that the committee would charge itself with the odium of detecting their immediate comrades. There wanted some other interests to keep that watchful attention which could alone prevent frauds and imposition. Though it has not done all the good it was capable of, it has been of infinite service to the individuals, and of great benefit to the parish.* It may be asked, are not the wages higher in consequence of the payment of 6*d.* a week to this fund? I answer no; I rather believe that if the funds had been more prudently managed, it would have been a powerful inducement in drawing men to the works. I have seldom heard in the long period of 33 years, an objection made to the payment, though the men came from all quarters, many of them without any intention of remaining for any length of time in the employ. This indeed encourages me to believe there would be less objection to such payments than might at first sight be supposed. It is from conviction of individual benefit that weighs with the parties, not personal influence, as might be supposed.

What I should propose to the House would be that every individual who made any profit or advantage of his labour, should contribute towards the establishment of a parish fund for the relief of sickness, age, or misfortune, for the encouragement of industry and good morals, for a general plan of education, and such other objects as might be conducive to the comfort and happiness of the labouring classes. That to this fund capitalists and property should contribute. That all ranks and classes in society should join in promoting a system for bettering the situation and increasing the comforts of the great bulk of the nation.

Supposing the contributions to be as follows:—

697,353	families returned as employed in agriculture at 12*d.* per family per week.........	1,813,117
923,588	families occupied in trade and manufactories at 12*d.*	2,401,328
1,620,941	families constituting a population of upwards of seven millions, six hundred thousand souls.	4,214,445
191,225	families supporting themselves by trade or income at 4*s.* per week	994,370
191,225	families of privileged orders, &c. on a regulated scale to be fixed by reference to the assessed taxes at 8*s.*	1,988,740
382,450		2,983,110
At 1*d.* per head paid by persons employing workmen...		1,054,611
1*d.* per head contributed by property now rateable		1,054,611
		2,109,222

By labouring classes	4,214,445
By other classes ...	2,982,110
By capital and land	2,109,222
Total	9,305,777

I submit this only as a cursory view of the subject, to show what an enormous sum may be raised by calling forth the united contributions of all classes. I have considered 10*s.* as the lowest wages that the labourer would receive. The proportion would not exceed a thirtieth of their gains. All should contribute, but none in a higher ratio. The contributions would be nearly equal from those who were to be partakers of the fund, and those who must be considered as only contributors to it, with a view of augmenting the general state of happiness. Such a fund, properly administered, could not fail of extending consolation to the afflicted beyond all example. Nor would the effects be confined to those merely who were objects of distress. Rewards for good conduct would naturally form a part of a plan that aimed at elevating the situation of the great body of the people. One material vice of the old system must be avoided. Flagitious conduct or conviction of crime or misdemeanor, must exclude such individuals from being subscribers to the parish saving fund. Education should be universal. The House cannot forget the frightful picture drawn of the state of education in the metropolis, by the member for Winchelsea (Mr. Brougham); though I trust there cannot be any thing like 80,000 children devoid of all instruction. If it exists in a tenth part it is sufficient to interest every friend to humanity in applying a remedy.

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* Sir F. Eden has in his valuable work on the Poor, noticed the Society, as has the Board of Agriculture.

Encouraging the people to virtuous conduct, inculcating by every possible means habits of frugality and forethought, would be the primary objects to be aimed at. I am sanguine that when this was fairly understood there would scarce be found an individual so insensible to his individual happiness as to withhold the sacrifice of a pot of beer to secure his own independence

The success of this, as of every other plan must principally depend on its execution. I confidently reckon on the cordial co-operation of all ranks. The evils of the old system are universally felt, and when the task of bettering the situation of so large a portion of the community was once delegated by the legislature to the public, that philanthropy and spirit for which this kingdom is so conspicuous, would unite all ranks in so glorious a work as that of promoting national happiness. I should propose the government of these funds, together with the formation of rules and regulations to be observed, to be vested in the hands of a committee. This body to be elected from the labouring classes, their employers and the representatives of landed and other property. Each parish would be thus at liberty to adopt such rules and regulations as the particular situation of the place required. It is not necessary for me to trouble the House with all the details that may be requisite for carrying the plan into execution. I should recommend the rules approved by each committee to be registered at the sessions, in order that any party who might be disposed to question the propriety of them, might appeal to the sessions, the magistrates having authority to quash, but not to enact—One third part of the committee to be annually changed—The rules to be revised every fifth year, so as to keep alive a constant attention towards perpetuating the system. It is one of the most important problems in legislation to determine what the state ought to take on itself to direct by public wisdom, and what it ought to leave to individual discretion.

I view with particular complacency this part of the plan, which intrusts to those who are to be relieved, a share in the administration of their funds. I consider it as likely to contribute to elevate the condition of the working classes. It presents a legitimate object of ambition—one fairly within their reach—connected with probity—the reward of honesty and good moral conduct. The influence of honorary distinctions is made available as the highest rewards that can be held out for acts of valour, may they not equally be offered as the recompence to virtue?

It is not easy to calculate the inestimable advantages which may result to the nation by calling into action all its worth and abilities. Fourteen thousand committees, constituted as I have a right to suppose they would be, could not fail of producing such a code of laws as would embrace every object calculated for promoting morals and industry, and consoling misery.

The intercourse to which this plan would lead between the higher and lower classes in society, could not fail of being attended with the most beneficial results. Whilst it called forth the interest and attention of the one to the welfare of the other, it would increase the sentiments of respect and veneration on the part of the people for their superiors.

I should superadd another motion to stimulate to exertion; as the funds increased so should the contributions diminish. Thus would it become not only the collective but the individual interest of every member of the parish to have the funds economised

The accumulations to be lodged from time to time in the hands of the receiver general, to be placed on government securities. Proper officers to be appointed in every district for receiving or furnishing money, as occasions might require. I do not think any thing more delightful could be proposed than that of calling on all ranks of society to unite their endeavours to multiply human happiness. If the other parts of the plan would admit of as much being said in its favour, I should anticipate the most favourable results.

Contrast the government I propose for the poor, with that under which it is at present. A hind or an ignorant overseer, driven reluctantly into the office, harassed and perplexed by perpetual unceasing applications, adopting the most unfavourable estimate of human nature, compelled equally to relieve the unfortunate and worthless—All are soon viewed through the most unfavourable medium. Contempt and hatred extinguish all sentiments of compassion, harshness and brutality are in consequence dealt out to all. How different would be the treatment of the poor when they had a part of their own body superintending their concerns—alive to their distresses by a sentiment of fellow feeling. It would be the wish of all to console the afflicted, and to relieve the virtuous. There would be an interest also to curb the excesses of the thoughtless. The duty of the magistrate is to punish—his powers are only called into action when society has suffered an injury. A committee elected by the free choice and esteem of a parish would possess an influence of opinion, that might with admirable effect be exercised in curbing those vices which lead to crime. This operation of opinion would have a powerful effect on the whole community.

In providing for the labouring and manufacturing poor, it would ill become us to be unmindful of those brave men who fight the battles of their country. It is highly painful to see the veteran who has suffered in his country's cause begging his bread. I should propose a stoppage to an equal amount to be made from the pay of the army and navy, and a proportionable part paid to these funds by the country. By this means they would be secure of a maintenance on the conclusion of their services, if unable to earn their livelihood. Lest I should be mistaken, I would notice that I would propose to include all mariners and others in the provision previously proposed.

There is still another class of unfortunate beings for whom provision should be made, who are punished for the sins of their parents, I mean natural children who are abandoned by their parents and left without care and protection. Strangers to those tender attentions, which imprint on the heart influences which operate on the character through life; with tempers soured, wanting education, it is not to be wondered at if these should be found amongst the most worthless members of society. To reclaim, to remedy the injuries of these unfortunates, is worthy the generosity of a great nation, and would be at once an act of justice and munificence. The penalties, by law inflicted on the parents, I mean not to intermeddle with. When no means of maintenance can be obtained from the parents, the children, after five years of age, should be taken and educated at the national expense, the boys placed in the navy and army, to serve for a certain period. The girls to be in like wise educated, and each parish in its turn to be required to furnish proper situations to bind them out as apprentices. Thus would national morals be improved, and the happiness of many human beings be secured. What may be the number of bastards annually born I can only conjecture: it was supposed about thirty years ago the number of illegitimate children was in the proportion of one to twenty-eight of those born in wedlock: this would make the number then about nine thousand. In France, at that period, the number of bastards was considered as one in fourteen. I fear, at present, the number is greatly increased in our own country, and may be as one to fourteen, or eighteen thousand. I have recently seen it stated, that out of somewhat less than twenty-three thousand children born at Paris, eight thousand were bastards. What proportion of bastards are supported by their parents, I have no data to justify any conjecture. The education and maintenance of each child may be calculated at between eight and ten pounds; at a very early age they might be made capable of contributing something towards their own support.

There must be still some means of maintaining those who should be bereft of the means of providing for themselves: the lunatic, the blind, and others having no provision from property, and incapable of administering to their own wants; these must be the annuitants of the public. It might be highly expedient, therefore, to bring back the 43d of Elizabeth strictly to such cases. There are large existing charities, which might be employed to much better purposes than what they are: the amount of these will ere long be brought under the observation of the legislature, and may form a part of future inquiries on this subject.

There will unfortunately occur instances of persons of notorious character, or convicted criminals, who being excluded from subscribing to the parish funds, may be reduced to the necessity of requiring relief: whilst the public administered to their necessities, it would be justified in fixing such marks of stigma as might operate in deterring others from following their example. To such persons badging might probably be applied with a general benefit, and could not be abused; it would therefore stand on very different grounds to what it was formerly applied.

I have omitted hitherto to advert to one most material consideration connected with this subject, I mean the laws relative to settlements; out of this has arisen an endless source of litigation and expense. By the statute of Richard 2d, c. 7, and that of Henry 7th, c. 12, the poor are directed to abide in cities, and towns where they were born or had dwelt for three years. These are the first rudiments of parish settlements.

Till the 26th of Henry 8th, c. 26, there was no compulsory method chalked out for the purpose. By the statute of Charles 2nd, c. 12, inhabitancy, apprenticeship, a service of forty days are made to confer settlements: the act directs that all intruders may be removed by two justices of the peace unless settled on a tenement of 10*l.* per annum. The preamble to that act is a very curious representation of the state of the country at that period. "That, whereas, by reason of some defects in the law, poor people are not restrained from going from one parish to another, and therefore endeavour to settle themselves in those parishes where is the best stock, the largest commons and wastes to build cottages, and the most woods for them to burn and destroy; and when they have consumed it, then to another parish, and at last become rogues and vagabonds, to great discouragement of parishes to provide stock, when it might be destroyed by strangers." By the 1st of James 2, c. 17, forty days were to be accounted after notice given. By the 3d and 4th of William and Mary, c. 11, it was further required that notice should be had at the church, and a statute of the 8th and 9th of the same reign enacted the machinery of certificates, that has since in a great measure been done away. The recent act of Mr. East, or the 35th of George 3d, restrains removal till the party becomes actually chargeable. Extending the power of requiring settlements was calculated at the moment to benefit both individuals and the public. Inconveniences have arisen from it that were not foreseen; so true is it that political wisdom changes with the state of society. This is now become one of the most prominent evils of the system. I should propose to bring back settlements to their original simplicity, that of birth and residence; and in case of marriage the husband's settlement to become that of the wife. Nothing surely can be more reasonable, that a life spent in active labour should convey a right of settlement: it is to be supposed his services have contributed to the wealth and prosperity of the spot. At the close of life to separate him from all his connexions and acquaintances, and transport him to a place where all memory of time is lost, is an act of unjustifiable cruelty.

In order to remedy a great evil arising out of the present system of settlements, I would propose a power should be given to parishes to purchase settlements for their supernumerary hands, so that when, from a change of circumstances, they were incapable of finding work for all their labourers, they should be at liberty to look out and transfer them to such quarters as they could be employed with advantage. The public and the individuals would be mutually gainers by the exchange.

The effect of establishing parish funds would undoubtedly be to raise the wages of the labourer in those districts, where an advance on the poor-rates constitutes a part of the payment: this would, in the view I have taken of the subject, be for the advantage of all parties. It is to be hoped that the price of the necessaries of life will, when once fairly settled, be less subject to those variations which bear so hard on the working classes.

I have some doubts whether I may not have estimated the produce of agricultural labour too high, in supposing the gains of each family calculated, as consisting of six persons, to amount to thirty shillings. I have however premised that I would in no instance take more than 4*d*, and that sum not to exceed a thirtieth part of the earnings of the party. That the difficulties which will attend this, or any other material change of system, are great, cannot be denied: I do not anticipate opposition from the quarter where many look for it, I mean on the part of the labouring poor. The comforts the plan holds out to them will be felt and appreciated; it will afford them many solid consolations, and exempt them from sufferings which can only be tolerated from the oppressive burthens now imposed, the benefit of which reaches not the poor.

Grateful to the House for the indulgence they have shown me, I shall not trespass longer on their time. I am fully sensible of the importance of the subject, I again repeat the apologies I offered at the outset: I am sensible the plan I have suggested, under the most favourable construction, will require much amendment to adapt it to practice. In one point I believe there is a general concurrence of opinion, that a remedy must be sought for to put a stop to an evil that cannot much longer be endured. A due regard to the happiness and comfort of the labouring classes demands this of us, not less than the indispensable necessity of relieving a great part of the community from burthens destructive of their industry and comforts. On these grounds, Sir, I shall move that a select committee be appointed to take into their consideration the laws relative to the maintenance and support of the poor. From their labours I anticipate such suggestions as may aid the House in adopting a system that will restore the labouring people their independence, and with it an increase of happiness; and at the same time augment industry and thereby promote the general prosperity of the empire.—The hon. gentleman concluded with moving, "That a select committee be appointed to take into their consideration the Poor Laws, and to report their observations thereupon to the House."

Mr. *Lockhart* returned thanks as an individual to the hon. member for his exertions on this subject, of all others the most interesting; for his endeavours not to relieve the rich from contributing to the necessities of others, but to make those contributions useful to all; and to remove a system, which, if not remedied, must in the end effect the ruin of every class, and, beginning with the lower members, soon destroy also the nobler parts of the body. There never had been a proper system of laws on this head. The hon. gentleman here went into the history of the poor laws, and showed that the statute of Elizabeth had been altogether misconstrued. He expatiated on the mischiefs arising from mixing up poor-rates with wages, which took from the poor man every feeling of independence, and rendered him of no value in his own estimation. By giving him as a boon what he ought to earn as his own property, he was not only defrauded of his right, but lost all energy or desire to gain his own subsistence, and ceased to feel any shame at being supported by the parish. It was necessary to convince the poor that under the present system the ruin of all must ensue, and relief be finally altogether hopeless—in short, that the poor were much more interested in each other's labour than in each other's idleness.

Sir *Egerton Brydges*, though unwilling to trespass on the indulgence of the House, at an hour when other pressing matter stood for debate, yet could not be entirely silent on a subject which had occupied so much of his attention. He could assure the House, that he would not trespass many minutes on their patience; for he would refrain from entering on the various and almost voluminous topics which this matter suggested: and which it required laborious and painful discussions to investigate with proper comprehension. But he could not forbear expressing shortly his dissent, from the opinion that the poor laws were so bad in their origin and principle as they had been this night represented to be. He admitted the evils of the present system were numerous and crying; but he believed that those evils were mainly to be attributed to a departure from the simplicity and objects of the laws originally enacted, in the reign of queen Elizabeth. They were false excrescences, which had grown out of the stock; and had filled it with diseases and dangers. He was willing to add his tribute of praise to the able and perspicuous manner in which the hon. member who had brought forward this motion, had expounded his plan to the House. But he felt it a duty not totally to suppress the mention of his fear, that so extensive a theory, and so fundamental an alteration of the existing laws, would be found to be less practicable than the hon. mover flattered himself it would be. The present poor laws were so widely ramified, so deeply rooted, and so intimately interwoven with the whole system of the institutions of the country; they were the result of such a long series of generations of legislative and judicial talent, acting on the successive experience of the numerous and changing facts in the condition of life of the lower orders; and this vast collection of enactments, and provisions, and judgments, had become so familiar to the understandings and habits of those who were dispersed every where, even to every corner of the kingdom, that for his part he must hesitate and pause, before he could reconcile his mind to a change so immense, a theory so untried, as that now proposed. At any rate, it must be long before the result of any committee to which so vast a subject was given in consideration, could be completed. Another session at the least must pass away in this arduous inquiry; and it was not therefore without deep regret that he now reflected, that he had yielded to the solicitations of the hon. member, to postpone those partial ameliorations of minor evils, which were in his opinion no necessary concomitants of the present system; and of which the removal, if only for the time that would elapse before the hon. mover's proposed measures could be brought forward, would have been no slight good. But he recollected the pledge he had given to the House, that he would not, on the present occasion, trespass long on their patience. He would therefore close with expressing his assent to the present motion; and his earnest hope, that a subject which deserved such profound attention from this House would produce all the good which the able and sanguine mover predicted from it.

The motion was then agreed to, and a committee appointed.

[ALIEN BILL.] On the motion that the Alien Bill be read a third time,

Lord *Althorp* said, that seeing no prospect of the rejection of this bill, he wished to do all the practical good in his power, by providing some guard against its abusive exercise, and with that view he proposed a clause to exempt from the operation of the bill any aliens resident in this country before the 1st of January, 1816, adding, that although he mentioned that period, he should be willing to adopt the 1st of January 1814, or such other date as the House might deem more expedient; for his only object was, to establish some protection for these aliens, who had been long resident in this country—who had contributed to increase our capital, to improve our manufactures, to advance our skill in arts and arms—who had their property vested in our funds—who had in fact contracted English habits, and who depended for their subsistence upon the stability of our government. He submitted to the consideration and candour of the House, that no danger could be apprehended from such men, and that therefore they should not be put out of the pale of the constitution.

The question, that the clause be brought up, having been put,

Lord *Castlereagh* objected to it, as narrowing too much the operation of the bill. He said, it would be far wiser to reject the measure altogether than to give the executive government so vain an instrument, the effect of which would rather be to induce disaffected foreigners to presume upon the imbecility of those under whose control they were placed. He was at a loss to imagine by what course of reasoning the noble lord had come at the conclusion that all foreigners arriving previous to 1816 were harmless individuals, not partaking of any portion of the spirit which infected many who had subsequently visited this country. He had before entered at length into the question, and if there was any ground for thinking that the internal and external circumstances of Great Britain required measures of precaution, the alien bill for the purpose of keeping a surveillance over foreigners was undoubtedly necessary. Was it even common sense to argue, that because persons who entertained the design of disturbing the present repose of Europe resorted to this country to carry on their machinations, instead of confining themselves to the continent, ministers were to be unarmed with any power to resist their efforts? If this bill was prudent in 1814, it was indispensable now; and he could not consent to draw a line either at 1814, or at any other period, between the foreigners who for innocent or guilty purposes took up their abode in England. The amendment, he apprehended, would rather have the effect of promoting mischief, since it would compel those who had evil designs to seek out among the old residents foreigners of kindred spirits with themselves to accomplish their purposes.

Sir *James Mackintosh* admitted, that the noble lord was quite consistent in complaining of all protection to weak and undefended aliens as a diminution of the power of the executive government—"Give us absolute power, or give us nothing," had been the constant language of the noble lord. Upon the most plausible part of his argument he had not however been equally consistent, for on a former night he had contended that all the perturbed spirits had entered the country since 1814: for this his noble friend proposed to provide, by exempting from this despotism all foreigners who had been in the country before the downfal of Napoleon and the dispersion of his followers; and now the noble lord insisted that all foreigners, even those of fifty years residence, who had families and property at stake, were equally to be dreaded. The clause of his noble friend was designed to give some protection to those who could scarcely by possibility be dangerous—merchants, handicraftsmen, artisans, and others, to the number of about 14,000, who had long been established here. In a former debate the noble lord (Castlereagh) had supported the bill, on the ground that aliens were only under a temporary allegiance; but had they not always been so, and had not our ancestors always held that security sufficient? Had it not satisfied king William, in the year of the Assassination plot, and George 1, at the time of the rebellion, though the plot was in a time of dangerous war, and both plot and rebellion notoriously countenanced by the French government, though both were against new and tottering governments, and both aided by powerful factions at home? The whole of the argument in favour of the bill was in truth a libel upon the policy of our ancestors, who had held that of all persons aliens who were cut off from sources of intelligence, unacquainted with the language, and regarded in this country with more than the usual degree of that prejudice and distrust of which foreigners are every where the object, were least likely to be employed as spies, by a sagacious enemy, who can always command the more effective and unsuspected services of profligate natives, which every country produces. He complained mainly of this bill as affording means to unprincipled individuals to impose upon the fears and credulity of government, and to render the supreme authority against the intention of those who exercise it an instrument of the most cruel oppression.

The *Solicitor General* observed, that the principle of the bill was to guard the country, not against foreigners who had arrived since a certain date, but against all aliens who entertained evil designs; and although long residence could not be held conclusive in favour of an individual, it would of course have its due weight with the secretary of state, who was to determine upon his case. No man who merely visited England for innocent purposes would be molested. Merchants and artisans who did not intermeddle with politics would receive all the usual encouragement; but the experience of the last war had shown beyond doubt, that the title of *negociant* had been employed all over Europe, and even in England, as a cloak to hide treasonable purposes. In his opinion the amendment would paralize the needful vigour of the bill.

Sir *John Newport* remarked upon the secure and satisfactory peace obtained by the noble lord, which required not only a military establishment greater than during war, but an alien bill of greater severity than had been known in times of revolution. The enmity of government to foreigners had of late years been carried to such an extent, that the powers of parliament had been limited, and the House of Lords had passed a resolution that no naturalization bill should be passed until the *fiat* of the secretary of state was obtained certifying in favour of the individual who required the privilege: in one instance of long residence and of great importance, mentioned formerly by the hon. member for Arundel (sir S. Romilly), this certificate had been positively refused. Such measures of exclusion to the natives of the rest of the world literally verified the words of the poet—*divisos orbe Britannos*.

Lord *Milton* said, that the argument of the solicitor-general that the decision ought to be left to the discretion of the secretary of state, would apply as well to natives as aliens, and would authorize even the suspension of the Habeas Corpus act. The fact was, that the alien bill was designed, not to accomplish our own, but the purposes of foreign powers, and it had been supported by reasoning that betrayed in a manner the source from which it flowed. As the noble lord and his friends were for deserting the ancient constitution of the country, it was wise in them to abandon also the ancient language of the country. The solicitor-general had talked of negociants, which he strangely interpreted spies; and the noble lord had spoken of a system of surveillance it was necessary to establish for the security of the realm. What surveillance was recognized by the British constitution? It was left for the noble lord to establish, in the heart of this country, his system of surveillance over the peaceable inhabitants, in imitation doubtless of some continental efforts of the same kind, which the noble lord had witnessed and approved.

Mr. *Addington* observed, that what had been stated on a former occasion respecting a certificate of naturalization being refused upon the application of an hon. member, was not perfectly correct. He had felt it his duty to make inquiries upon the subject, and it appeared that a very discouraging answer had indeed been given, but not an absolute refusal. On the contrary, an order was actually given to grant that certificate, provided certain doubts were removed. With respect to the clause, he certainly felt strong objections to it; and those who supported it seemed to reason upon the measure, as if it were the most tyrannical and oppressive ever proposed to the legislature of a free country. For his own part, he regarded it as merely a precautionary proceeding, and could not see how that precaution could be exercised with more lenity. The government had brought it forward only from a sense of duty.

Sir *Samuel Romilly*, having originally mentioned to the House the case of the refusal of a certificate, begged to state, that the right hon. gentleman who spoke last seemed to be utterly ignorant of what had passed in his own office. Before he (sir Samuel) had ventured to state in parliament a fact so incredible, as that after fifty years residence, in a case of property to a great amount, a certificate for naturalization had been positively refused, he had made the strictest inquiry of the solicitor and others, who assured him, that Mr. Beckett, the under secretary, had repeatedly said that no certificate would or could be granted. With respect to the manner in which gentlemen attempted to support this measure, it was certainly most curious to hear new words borrowed from the French quoted, and particularly that of surveillance, as an inducement for the House to pass the bill; but the main point to be considered was, that it was a measure introduced to parliament by the secretary of state for foreign affairs, thereby proving that it was and could be considered as nothing but a foreign measure. A most unwarrantable power was given to the noble lord to whose care the properties and liberties of so many thousands were entrusted. In many instances, he had no hesitation in saying, the loss of life would be far more acceptable to the alien than to be at a moment's warning torn from the bosom of his family, and his misery consummated by the loss of his property, and this at the caprice and whim of that noble personage. Far better would it be at once to vest the power of life and death of the alien in the hands of the minister, for then a little more deliberation would be used, and their condemnation would not then rest upon false and slanderous whispers.

Mr. *Addington* said, that what he had stated was upon the authority of his noble relation; and he would leave the House to judge whether his noble relation was a person likely to state what was not the fact.

Mr. *Wynn* supported the clause. He considered that it would be a most disgraceful thing to this country, if an alien, who had peaceably remained in the kingdom for fifty years, was suffered to be turned out at the whim of the secretary of state, without trial and without appeal.

Lord *Althorp* said, that with a view to conciliate the objections of the noble lord, if possible, he had amended his clause, and substituted the first of January 1813, in lieu of the 1st of January 1816.

Lord *Castlereagh* said, he should feel an equal objection to the clause in its amended state.

The House then divided: For the clause, 33; against it, 76.

List of the Minority.

Abercrombie, hon. J.
Brougham, Henry
Burdett, sir F.
Calcraft, John
Chaloner, Robert
Dundas, hon. L.
Duncannon, visc.
Forbes, Charles
Folkestone, visc.
Gordon, Robert
Grant, J. P.
Hamilton, lord A.
Horner, Francis
Jones, John
Knox, Thos.
Lambton, J. G.
Mackintosh, sir J.
Milton, visc.
Monck, sir C.
Moore, Peter
Newport, sir John
North, Dudley
Preston, R.
Philips, George
Ponsonby, rt. hn. G.
Power, Richard
Rancliffe, lord
Ridley, sir M. W.
Romilly, sir S.
Sefton, earl of
Tavistock, marquis
Tierney, rt. hon. G.
Waldegrave, hn. W.
Wynn, C. W.

TELLERS

Althorp, visc.
Macdonald, J.

The further proceeding upon the third reading of the bill was then adjourned till Thursday.

HOUSE OF LORDS.

Thursday, May 30.

West India Slaves.] Lord *Grenville* said, their lordships would recollect, that he had some time ago moved for certain papers connected with the subject of the Registry of Slaves in the West India colonies. These papers, he understood, would soon be laid on their lordships table. The view with which he had moved for these papers was this; that their lordships might take them into their serious consideration, with reference to a most important measure which was then in contemplation, namely, a bill to compel the registry of slaves in the West Indies, where the state of slavery was still permitted under the sanction of British law to continue. He did not at present mean to discuss the propriety of such a measure; but as these papers were soon to be produced, he requested of their lordships to examine them with the utmost attention, with a view to a motion which it was his intention to submit to their consideration early in the next session. Their lordships would not imagine that he proposed to take the measure of a slave-registry bill out of those hands in which it was so properly placed; but he thought this was a matter which might with great convenience, and according to common usage be made the subject of a motion or resolution in their lordships House, without waiting for the slow progress of a bill; and therefore he wished now to give notice, that he should early in the next session submit some proposition on this head to their lordships.

Lord *Holland* said, that he had, on a former occasion, expressed his doubts as to the necessity or expediency of such a measure as this slave-registry bill. He understood that it was supported on two grounds: first, to prevent the illicit importation of slaves into the British West India colonies; and secondly, to better the condition of the slaves. But he was convinced that there was no such direct importation into Jamaica, nor any of the British West India colonies except Trinidad; and even if there had been such illicit importation, it would be infinitely better that the remedy should be applied by the legislatures of the colonies themselves; and he hoped that a recommendation to that effect would be sent from the government here to the colonial legislatures. The utmost reluctance ought to be felt to legislate here in matters which concerned the internal regulations of the colonies; and such a mode of proceeding would have the strongest tendency to defeat the very object in view. If he thought that there really was an illicit importation of slaves into the British West India islands, and that this unjust and horrible traffic was continued there; and if he were convinced that there was a determination in the colonial legislatures never to have recourse to the measures which might be necessary to put an end to it, then he would certainly vote for a slave-registry bill brought into parliament here, and even for stronger measures, if that should not be found sufficient. The only difference between him and his noble friend, therefore, rested on questions of time and prudence. In the fundamental principle they were completely agreed; and he trusted that the wisdom and inclination, and—if mankind must always be supposed to act from these sordid motives—even the interest of the colonial legislatures would lead them to adopt such measures as would afford full security against the occurrence of that evil which appeared to be so much dreaded.

Earl *Bathurst* said, it was the intention of government to recommend in the most earnest manner to the colonial legislatures the adoption of some measure or other calculated to answer the purposes of the slave-registry bill. They would judge what measures might be most effectual; but he himself certainly thought, that a slave-registry act passed by the colonial legislatures was the best mode for accomplishing the object. If the colonial legislatures should choose to take up the matter, he trusted it would be with a full determination really to effectuate the purpose, instead of merely doing it in form, and leaving it undone in substance and effect. He conceived it would be even better for the colonial legislatures sturdily to refuse doing this at all, than to endeavour to proceed in that hollow mode to which he had adverted. He was desirous, however, that the principle upon which this recommendation was to be made to the colonial legislatures should not be misunderstood. The principle upon which he had agreed to offer this recommendation, was not his belief in the existence of a present practice of illicit importation of slaves into the islands. He was satisfied that there was no systematic violation of the law in that respect, though certainly such a violation might have taken place in some few instances. The principle was not to correct an existing evil, but to prevent the occurrence of an evil, which, without some such regulation, would probably arise. Though in time of war the law as it stood might be sufficient to check such practices, yet in time of peace he was apprehensive that the existing law might not be sufficient. He did not deny the right of the British parliament to bind the colonies by such a law; but it would be very indiscreet to act upon that right, unless in cases where the object could not be accomplished by any other method.

Lord *Grenville* said, he was most happy to hear that it was the intention of government to recommend this matter to the attention of the colonial legislatures, and he trusted that they would, in deference to that recommendation, take the subject into their most serious consideration. Notwithstanding the undoubted right of the British legislature to legislate in this matter, he agreed that it was most desirable in every point of view, that the object should be accomplished by the colonial legislatures. With respect to those who had the accomplishment of this object most deeply at heart, he could answer for them, that instead of wishing to cast imputations upon any class of men, or to excite any thing like clamour, it was their most earnest desire to consult the interests of all, and to consider even the prejudices of those who opposed them with all possible indulgence, as far as all this could be done in consistency with the accomplishment of the grand object which they had in view. Neither on this nor on any other occasion had he stated the measure of the slave-registry bill as one intended to correct an evil already existing. He did not know, with any degree of certainty, how the facts really stood with respect to the past; but he well knew that it was the duty of a wise and just legislature to prevent the occurrence of evil if possible, as well as to restrain or abolish it when it had arisen; and when he should come to the discussion of that subject, he hoped to be able to convince their lordships, that in a period of peace, unless some such measure as the slave-registry bill were adopted, it would be impossible to prevent the prevalence of this illegal practice, not in a few instances, as his noble friend had stated, but to an enormous and horrible extent, while at the same time discovery might be rendered so difficult that it might be perhaps impossible to prove the violation of the law even in a few instances. Admitting that, in point of expediency, the British legislature ought only to interfere in these internal regulations where an extreme case should be pointed out, still it was fitting that the British parliament should have the means of forming an accurate judgment as to whether such an extreme case did or did not exist. Nothing could be better calculated for this purpose than the slave-registry law, as this would bring regularly before the British parliament the actual state and condition of the slave population.

Earl *Stanhope* was glad that this notice had been given, and that the subject was to be discussed in the British legislature. It was not a colonial regulation at all. The object was to prevent the commission of acts of piracy against the subjects of a foreign power. He admitted, however, that the prejudices of the colonists ought to be consulted, as far as it could be done consistently with the great purpose; but an excellent argument might be applied to their pockets, and unless the colonial assemblies paid the proper attention to this recommendation, the British legislature ought to tax them so as to make them bitterly repent it.

Lord *Holland* said, that the noble earl had his wish, for they were already heavily taxed.

SILVER COINAGE.] The Prince Regent's Message having been referred to a committee of the whole House,

The Earl of *Liverpool* rose. He said, that although the Address which he should propose, in answer to the Prince Regent's message, would pledge the House to nothing more than to concur in the best and most effectual measures for remedying the defects of the silver coin, yet as these measures were partly to be brought before parliament for its approbation, it might not be improper to state the general outline of the measures which government had in contemplation on this important subject. This was certainly a question upon which the Crown, by its prerogative, had a peculiar right to decide, but some of the steps necessary for the accomplishment of the intended object could not be taken without the aid of parliament; and at any rate, where the matter was of so much importance, and so directly and immediately connected with the interests of all classes of the community, no ministry would be disposed to give advice to the Crown as to the proper mode of proceeding, without submitting that advice to the consideration of parliament. As to the general subject, it had occupied the attention of many persons for several years; and a near, dear, and lamented relation of his had made it the chief study of the latter years of his life. He had committed his thoughts on the subject to paper; in a letter to his sovereign; and, by the order of his sovereign, that letter had been published. His deceased relation had been, from a variety of circumstances, peculiarly well qualified for the discussion of the subject—from his general knowledge, from particular application to this subject, and from having had the charge of the gold coinage which took place in 1773-4. The work was before the public. But it was in vain to imagine that the work in question had done every thing. It had, however, thrown much light on the subject, and the principles there laid down, had, he believed, been very generally approved. A variety of circumstances had occurred to keep the attention alive to the subject, since the publication of that letter, and the report of the bullion committee of the House of Commons had furnished a great deal of most valuable information in the appendix. This he was most willing to acknowledge, though he could not agree with that committee in the main point of their report. The time for the measures there recommended was not then come; but now, when the period of peace had arrived, and when the exchanges had become favourable, and were likely to continue so, it was proper at the earliest possible opportunity to recur to that system which was attended with the greatest practical convenience. It was impossible to state one's views as to the silver coinage without saying something respecting the gold coin. He laid down this, then, as the principal or foundation of the measures in contemplation as to the silver coinage, that gold was, in point of fact, the standard or measure of the value of property in this country. The progress of this country in agriculture, commerce, manufactures, and riches, had made gold, in fact, the measure of value in this country in a way more powerful and effectual than any declaration. This, however, was the case not merely in fact, but in law, for the act by which silver was made a legal tender only for *5l.* was in effect a declaration that gold was the measure. In a poor country gold could not be the measure of value; but it was very desirable that it should be so made in any country where that could possibly be done. That metal which was least liable to fluctuation in its value was the most proper for this purpose; and this was the case with gold. By the natural order of things in this country, and by the law, gold had become the measure of value, and it was in itself the best adapted to this purpose. This, then, he laid down as the basis of the measure which was now proposed to be carried into effect. The other metals would of course be subordinate to gold, and be used as valuable counters for change; and as gold was the most proper metal for being the standard or measure of value, so silver was the best calculated for the purposes of change. Having laid down that as the principle upon which he proceeded, his opinion was, that the measure of the value of property ought to be as perfect as possible. But no inconvenience had been felt from the state of the gold coin as it was last fixed, till the period of that expenditure which turned the course of exchange so remarkably against us. It was not desirable to make any alteration in the state of the coin without an adequate object; it was intended, therefore, to leave the gold coin in the same state as at present, and he was happy that they had now arrived at a period when they could again allow gold to operate as the measure of value on the old principle. With respect to silver, he considered that it stood on the same principle as copper; for not being in its nature the standard or measure of value, they had only to take care that there was enough of it for the purposes of change, and that it should not be liable to be melted down. The expense of the manufacture, therefore, might be taken out of the coinage, and a seignorage to support the establishment. In 1773 silver was considered as the standard or measure of value, and the principle at that time was, that the pound of silver should be coined into 62 shillings. First, then, they had now to consider what was the actual price of silver at present; 2nd, what it was likely to be; 3d, at what price they were to take it in the new coinage. The price was at present *5s.* 1½*d.* per ounce. At the rate of 62 shillings for the pound, the price would be *5s.* *2d.*; so that silver was at present below the mint price, and might be coined even on the old principle. It was not till the market price of silver was so far above the mint price as to afford a profit for converting it into bullion, that it would be melted down, or was worth the operation. Such an inducement would be taken away by fixing upon the coin a small seignorage, or raising the value of the coin above bullion. He thought that *5s.* *6d.* or *5s.* *9d.* would afford a sufficient security against melting. The question would here arise—were we justified by the experience of any considerable portion of time in considering this as a rate that would preserve our silver in circulation? and he had no hesitation in saying we were. Upon an average of the fluctuations in the price of silver since 1773, it had borne the value of *5s.* *4d.* an ounce. It was at present at *5s.* 1½., being a halfpenny below the mint price. He therefore thought that a rise to 5*s.* 9*d.* would afford a sufficient security to all the coin that might be thrown into circulation, and would admit of fluctuation within considerably extensive limits. There was some difficulty in fixing a medium for the price of silver, and it was a matter of considerable importance to discover the true one. If the mint price should be fixed too high when compared with that of gold, inducements would be held out to export the gold, and thus to leave the country without its standard coin; while, on the other hand, if the quantity of silver in the legal denominations should be too great, a temptation almost irresistible would be produced to melt it down. If the shilling circulated in coin for much more than it was worth in bullion, the gold would not circulate along with it, but would be driven abroad, or melted down. This was a result, however, which he thought would not occur, if the rate he had mentioned were adopted; but if there was any reason to dread it, the House should consider its consequences. There would be nothing else but a little temporary inconvenience, which might be easily seen at its first approach, and as easily remedied. The difference between 62 shillings for the pound weight of silver, which was the mint price, or the present proportion that it bore to gold, and 68 or 70 shillings, which it would be fixed at, would pay the expenses of a recoinage.—He had now gone over what he intended to say with regard to the preliminary part of the question. He did not feel it necessary to enter into speculations concerning the probable charges that might afterwards take place in the relative value of the two precious metals from a disproportioned increase of the quantity of either. He would not consider the probability of discovering new silver mines, and the consequent excess of that metal over gold that would ensue, though it was likely rather to fall than increase in value. We could not legislate for such contingencies: but every thing that he saw at present confirmed him in the justice of his previous statements, and the propriety of making them the basis of arrangements for the coinage of the kingdom.—He came now to the discussion of what was the most important part of the present measure, he meant the arrangements proper to be adopted in recalling the deteriorated silver coin, and substituting the new. There were lately in circulation about 3,700,000*l.* in bank tokens, which might remain in circulation till a substitute was provided in the new coin. The quantity of standard silver in these was much less than the proposed new coinage. They circulated at 6*s.* 8*d.* or 6*s.* 9*d.* an ounce, whereas an ounce of silver in the new coinage would be manufactured only into 5*s.* 9*d.* The deteriorated coin, consisting of sixpences and shillings, should be called in as soon as a substitute in new money was provided. He could not state what was the amount of such silver in circulation, but if it was not called in when the necessity for it ceased, the new coinage would immediately disappear. Base and good coin could not circulate together; for if government allowed them to co-exist, irresistible temptations would be held out to melt the full weight coin, and convert the metal into a denomination of equal value in currency, but of less real value. The only plan that could therefore be safely adopted was, to make the calling in of the base money and the issue of the substitute simultaneous, and to issue such a quantity of coin at first as would be sufficient for public convenience. He thought 2,500,000*l.* of new coinage would be sufficient to supply the place of the shillings and sixpences called in or driven from circulation. From the improved machinery of our mint, this quantity, great as it appeared, might be prepared in the course of six or seven months. In the time of king William, before the improvements were known that we now possessed, the new coinage was not finished in less than four years. However short the time between the calling in of the old and the issuing of the new coin, and whatever arrangements were adopted with regard to the indemnity to be granted to the holders of the former at the time of the change, some public inconvenience would be felt, and some necessary expenses incurred. It was, however, to be considered that these inconveniences would rather increase than diminish by delay, and that if we did not wish to go on for ever with our deteriorated currency, the present was the most propitious season for reforming it. With regard to indemnity, he felt disposed to propose, and he was sure the House would feel disposed to adopt, the most liberal principles. Their lordships were aware that when a new coinage was issued in other countries and the old currency called in, the government received the deteriorated money from the holders of it by weight, and not by tail; so that the public incurred the loss that accrued from the wearing or clipping of it when in circulation. It became the government and legislature of this country to be more liberal. He proposed, therefore, that all the silver which could be considered as legal tender, by having the proper marks, should be received at its current value when called in. Mere counterfeits could not be received for more than their value as determined by weight and fineness, as it would be impolitic and unjust to burthen the country with an expenditure, to repay losses that were the consequence of the knavery or simplicity of individuals. He would recommend, that the distinction between what was at present legal tender, and what was mere counterfeit, should be strictly observed. The difficulty of deciding between them would not be found so great in practice as at first sight it might appear. In most cases the point might be easily settled, and if any reasonable doubt should occur, the public should have the benefit of the decision of it. He would not detain their lordships with detailing the advantages of a new coinage to trade and commerce, nor did he think it necessary to prove that the present was as fit a season for accomplishing that object as any that could be expected to occur. The inconvenience of the present system would increase by delay. Though he did not think that the silver coinage of the country was much more connected with the bank restriction than the copper, yet he would make a few observations on the subject. He sincerely hoped that by the end of two years the Bank would return to cash payments, and he was of opinion that the measure of issuing a good and sufficient silver coinage would not only operate as a step to ameliorate the whole system of our circulation, but would accelerate or facilitate such an event. The present, therefore, as a measure in aid of what all desired, could not but be acceptable. If it was not adopted, the resumption of cash payments would be more difficult. As it was the duty of the House to exert itself to restore the ancient state of our circulation, and, as we could revert to it only gradually, the reformation of our silver coinage seemed a necessary step. He, therefore, concluded by moving, "that an humble address be presented to the Prince Regent, thanking him for his gracious Message, and assuring him of the desire of the House to concur in its objects."

The Earl of *Lauderdale* conceived, that as he dissented from the doctrines maintained by the noble earl, he was bound, in the exercise of his parliamentary duty, to place the grounds of his dissent on the journals of the House. The book of the noble earl's father, from which he borrowed the doctrines he had just delivered, contained many sound opinions, and possessed great merit; but he could not accede to its fundamental principle, that gold was the best standard metal for the coin of the kingdom. He concurred with him, that it was better to have a standard of gold or of silver, than to invest both metals with that character. This principle should have been carried a little farther, and have prevented silver from being a legal tender for sums of *5l.* as it now was, if gold was to be considered as the standard. If, on the other hand, gold was not the standard it should be allowed to find its level in the market, like any other species of commodity. If silver was made the standard, the change would be attended with this advantage that it would render our currency less liable to fluctuation in value; if not made the standard, and yet rendered the legal tender for small sums, it was liable to be deteriorated to an amazing extent as would be seen in the present debased state of our silver currency. The sixpences now in circulation were not worth in value more than 3½*d.*, and the shilling had not generally in it more silver than what was equivalent to *8d.* or *9d.* Silver was circulated as a matter of convenience, without any regard to its goodness or weight. The smaller pieces of gold were regarded in the same light, and might in the course of time become equally deteriorated. If he had fifteen shillings in his pocket, he never considered their intrinsic value, or the weight and fineness of the metal they contained; but viewed them merely in the light of their exchangeable value, and as convenient for procuring what he wanted. He did the same with small gold peices. It would be proper, therefore, to adopt a metal, which from its greater divisibility compared with its exchangeable value, would be found more conducive to the purposes of convenience. On this account he would give the preference to silver over gold as the standard of payments. Adverting to the work of the late lord Liverpool, the noble earl declared that he felt as high a respect for it as any of their lordships: and he was of opinion that its noble author, after spending the greater part of his life in the public service, could not have devoted the leisure of age to a more worthy end than pointing out to his sovereign the principle on which he could improve the coin of his kingdom; but when he came to examine its fundamental doctrine, that gold was the proper standard of payments in a rich state, and silver in a poor, he could not but make an abatement in his approbation. He could not conceive the reason on which such a principle was founded, and saw nothing in the extended opulence of the richest country, even supposing our own possessed of double its present resources, that might not be measured and exchanged by a reference to silver money. Gold had lately entirely disappeared; no reference was made to it in our exchanges; bank-notes composed our circulation, and yet we felt no want of better metal as a standard. A bill of exchange could be as easily measured in silver as in gold. The converse of this proposition appeared to him almost incomprehensible. He did not rise, however, to discuss speculative principles of political economy with the noble earl, or to controvert the speculative opinions of his father's work; his intention in rising was to state his objections to the measures proposed by the noble earl, from a view of the time and circumstances under which they were brought forward. The expense attending a reformation of the coinage, taking the old by tale, would be great and intolerable in the present situation of the country. That expense was calculated by the chancellor of the exchequer at half a million of money. But this was not the most cogent of his objections. He would ask the noble lord what was the proportion of the present deteriorated currency that could be ascertained to have issued from the mint? He would wish to know what proportion of the sixpences and shillings had the legal stamp? The noble earl expressed his conviction that the determination of this point was a matter of little difficulty, and would be attended with few or no mistakes. The difficulty, on the contrary, appeared to him (lord Lauderdale) often great, and would sometimes be insurmountable. In proof of this, he might mention, that on a trial that took place at York for buying guineas at more than 21*s*. of the legal coin of the kingdom, it became a question if the shillings paid in exchange for the gold were legal tender, and one of the officers of the mint, who was sent down to determine the point, found himself incompetent to the task, and could not swear whether the shillings presented had issued from the mint or not. This showed that the matter was not so plain and easy as the noble earl seemed to think. Did the noble earl suppose, that one in thirty, or one in twenty, could be properly authenticated? If only one in twenty could be proved to be legal coin, then whatever government recommended as indemnity would be far from covering the losses of the public. If the public lost much, individuals would lose more. If the calling in of one in twenty stood the nation an expense of 500,000*l*., the public, who lost the other nineteen, would incur a loss of 9,500,000*l*. Was not this enormous loss too much to add to the present burthens of the country? In this opinion he would be joined by the suffering community, while the noble lord was only supported by a speculative opinion of government. Another important question that suggested itself here was, after the nation had been put to the expense of paying for this new coinage of 66 shillings the lb., how much of it, and how long would it remain in circulation? It was well known that there was a great fluctuation in the value of silver. As the bank restriction was continued, and the directors had an unlimited power to increase their issues, the paper circulation might be depreciated as formerly, the value of the precious metals might rise in consequence, and it might soon become a very profitable concern to melt down the two millions and a half proposed to be coined by the noble lord. Every one knew that the bank tokens had been repeatedly melted down, and as repeatedly reduced in quantity to prevent such a fate. He could now produce, as he had formerly produced to their lordships, specimens of four or five successive token coinages by the bank, all successively lighter than the former, and all rendered necessary by the danger of the melting pot. Might it not be dreaded that in six months, such a change would occur in the value of silver as would offer irresistible temptations to destroy the new coinage? If it were allowed, he could bring persons to the bar of the House with better means of forming an opinion, and as capable of doing so as those with whom this measure originated, to prove that such a fluctuation was by no means improbable. The issues of the bank would increase our currency; as the agricultural and manufacturing interest recovered, their credit augmented—their capital would be thrown into a state of activity—they would join their issues to those of the bank of England—improvement in trade and commerce would follow, and the paper would again be so abundant, as to the cause depreciation and to drive the coin out of circulation. When we had two kinds of copper of different values, this principle was exemplified in the disappearance of the best. Two coins of unequal value could not circulate together, nor could two different species of money, one paper and the other gold, retain the market in the same circumstances. Paper by the continuance of the bank restriction, must again drive out of currency the precious metals. Recurring to the points of the proposed measure connected with views of justice to the public, he would say, that if we were to have a new coinage and to call in the old, the indemnity to the holder of the latter should be extended further than the limits proposed by the government. The House had sat during the whole of the present reign perfectly aware that the depreciation was going forward; they had by their silence sanctioned the state of things that brought the coinage to its present condition; and it would be the grossest injustice now to turn round to the public, to the shopkeeper and tradesman, and to say—you received those pieces for full value, but you must sell them at a discount, and can have no compensation for your losses. He thought a committee should be appointed to take into consideration the claims of the public, and the best mode of granting indemnity. Although he felt for the distresses of the country under the burthen of taxation, he would be more just or more liberal in this case than the noble earl. The noble lord had said that he would allow bank tokens to remain in circulation along with the new coin, till a sufficient quantity of it could be provided for all exigencies. Had the noble earl forgtten his own principles? Had he forgotten that an ounce of silver was coined into 6*s*. 8*d* of bank token currency, while in his new coinage the ounce would only produce 5*s*. 9*d*.; and did he suppose that coins of such different value could circulate together? On these grounds he would implore the noble lord to consider how impossible it was for the new coin to remain in circulation, and the inconvenience that would attend its issue in the present circumstances. He felt it his duty to propose the following amendment, after the word "that" in the original Address:

"Assuring his royal highness that this House has taken into its most serious consideration his royal highness's message on the subject of the new silver coinage; and that they feel it their duty respectfully to state to his royal highness, that the suppression of the silver coin now in circulation must be attended with great expense, and cannot be effected without serious inconvenience, and infinite loss to the lower orders of the community; and that it appears to them in the highest degree uncertain whether the country will derive any benefit from the measure—for they must entertain the greatest doubts concerning the new coin remaining for any length of time in circulation, under the present circumstances of this country, in relation to its currency.

"That this House learns, from the authority of the legislature in the preamble to the act of the 24th of George 2nd, chapter 58th, that an act made in the 6th year of her late majesty queen Anne, for ascertaining the rate of foreign coin in her majesty's American plantations had been entirely frustrated by the creation of great quantities of paper bills; and that they feel it, therefore, a duty, humbly to represent to his royal highness, that it is impossible for them not to fear that any regulation his royal highness may be advised to adopt concerning a new silver coinage for this country, may, in like manner, be rendered of no avail, whilst the bank of England, as well as 642 other banking establishments, have a right to increase the paper currency of the country to any extent which their respective interests may render desirable.

"That this House think it further necessary humbly to express to his royal highness their extreme surprise, that this measure should have been suggested by his royal highness's advisers, at a moment when they must be conscious that, by persuading parliament to provide great part of the Ways and Means for the expenditure of the year, by advance from the bank of England, they have furnished an opportunity and an inducement to that corporation to increase their paper to such an extent as must, in concurrence with that of others, in all probability banish from circulation the new coin, which they are advising his royal highness to issue.

"That under these circumstances, this House felt it a duty they owe to themselves, to the public, and to his royal highness, humbly to implore his royal highness to postpone all thoughts of providing a new and extensive issue of silver coin, for the purpose of reconsidering a measure of so much importance, and of maturely deliberating whether, at a moment of such financial distress, it is justifiable to impose such a burthen on his people, more especially as it must by all be deemed at least uncertain whether it can be attended with any benefit to the community, if carried into execution during the continuance of the restriction on cash payments at the bank of England."

The Earl of *Liverpool* rose, he said, not to re-argue the question, but to speak to a matter of fact. The cost of the new silver coinage was estimated at 500,000*l.*; but the noble lord had thought proper to estimate it at 9,500,000*l.* Now he could not imagine upon what ground the noble lord rested an estimate so incompatible with the actual amount of our silver currency. For the whole of the silver coinage of king William was about six millions, and with the exception of a small quantity in the reign of queen Anne, there had since notoriously been no silver coinage whatever.

The Earl of *Lauderdale* observed, that his estimate rested upon that of the chancellor of the exchequer, who appeared to calculate that only one out of twenty shillings in circulation was not of the coinage of the mint, whereas he (lord L.) took the more probable calculation, that 19 out of 20 were of that description.

The amendment was negatived, and the original address agreed to without a division.

HOUSE OF COMMONS.

Thursday, May 30.

Petition of the Irish Roman Catholic Bishops and Clergy.] Sir *Henry Parnell* rose to present a Petition from the bishops and clergy professing the Roman Catholic Religion in Ireland; he said it was signed by 23 prelates, and 1,052 priests. The Catholic bishops and clergy of Ireland, he proceeded to state, had been at all times most conspicuous for the faithful discharge of their duties, as teachers of the Christian Religion. Whatever there was of moral principle existing among the Catholic people of Ireland, it was wholly to be attributed to the unabated zeal of their clergy; for no people ever owed less, for any good quality they possessed, to the protection of the laws they lived under, or the assistance of the state; the whole system of both being a continued effort, during the greater part of the last century, to deprive the people of all instruction, whether by the aid of religion or by schools. It was, therefore, not to be questioned, that had it not been for the meritorious conduct of the Catholic clergy, in defiance of all suffering and dangers, the Irish people must have been at this day the most ignorant and most uncivilized people of the world. He said, he knew that many were inclined to conceive that this was their real character, but such an opinion was wholly void of foundation. Every one at all acquainted with Ireland must admit, that the people possess a moral principle, which leads them to practise all the domestic and social duties in the most exemplary manner. It was no doubt true, that many and very outrageous acts and crimes occasionally disgraced some parts of the country; but if these were traced to their true causes, they would almost always be found to be instigated by religious animosities, emanating from political disabilities. Those who had the most studied the nature of the crimes that come before the tribunals of justice, are of opinion, that they are for the most part nearly altogether those crimes which are called *mala prohibita*, and not *mala in se*. This distinction is found to prevail very generally, and fully proves how universally the principles of religion and virtue exist, and how successful the efforts of the clergy must have been in the discharge of their sacred duties. The Catholic clergy were not less distinguished for their zeal in teaching submission to the laws and the ruling powers. Notwithstanding all the bishops were appointed by James 2nd and his son the pretender, till a late period of the last century, it is upon record, upon the best authority, that among the pretender's papers, which were seized after the battle of Culloden, no trace was to be found of any connexion between him and the Irish Catholic bishops or clergy. The noble lord (the secretary for foreign affairs and the right hon. member for Peterborough (Mr. Elliot), who were both in the Irish government in 1798, have repeatedly borne testimony, in this House, of the great services the Catholic bishops rendered the state, by the influence of their example and pastoral letters, in suppressing the rebellion of 1798. Under all these circumstances, sir Henry hoped this House would feel this meritorious body were deserving of its respect and consideration. The petition which they had thought proper to place in his hands contained their unanimous opinion on those ecclesiastical arrangements, which some persons considered as necessary to be connected with the measure of Catholic emancipation. It comprised a very able argument, to show, that no alteration was necessary in the present mode of appointing bishops. In advancing this opinion, in opposition to the very general feeling that prevailed on this point, he said he hoped the House would not consider their conduct as in any way intending disrespect to its proceedings, or as conveying any intention to resist, in any improper manner, any measure which the House or parliament might think proper to adopt. They had only exercised a right which belongs to every class of subjects of these countries, that of submitting to parliament their opinion on a great public question, materially affecting their most important interests. It was to be observed, that notwithstanding the very general sentiment which prevailed, of the necessity of connecting ecclesiastical arrangements with the measure of emancipation, no case had ever yet been made out to prove that they were necessary—no sort of injury to the state had been shown to have arisen, or to be likely to arise, from the long established mode of appointing Catholic bishops. The advocates of those arrangements had yet to prove some defect in it, and, therefore, all objections to them, particularly those coming from the Catholic bishops, ought to be received with the greatest attention and indulgence. The hon. member then said, that this was the first opportunity he had had of calling the attention of the House to the petitions he had presented in the course of this month from the Catholics of Ireland, as he had felt it to be his duty to wait for the arrival of the petition which he held in his hand; and though the subject of them had already been very much discussed, and in a great measure decided upon, he still felt it due to the petitioners again to call upon the House to consider their claims. He was aware he could not do so with any hopes of obtaining, in this session, a legislative measure for general relief from all the disabilities the Catholics labour under; but there was still sufficient time during this session to concede those minor objects which the Speaker had some years ago admitted might with safety be granted. He should, therefore, give notice this evening of a motion for this day se'nnight, for the House to resolve itself into a committee to take the petitions into consideration; not with the view of succeeding in carrying any vote in that committee, for admitting Catholics into seats in parliament, or the high offices of the state, though he should propose a vote to that effect, but to obtain, if possible, a measure for giving them complete relief from all other existing disabilities.

General *Matthew* felt great satisfaction in having that opportunity of saying a few words to correct a statement that had, perhaps unintentionally, appeared in some of the morning papers, and thence been copied into those of Ireland, in which a declaration was attributed to him, far different indeed from that which he had expressed. It was there stated (said the gallant general), that I had just come from Ireland, and informed the House, that there were five millions of Irishmen who were extremely anxious to give every possible security to government; and also, that I had gone to Rome, for the purpose of holding a conference with the pope, with a view to accelerate the Veto. The fact however, was, that I disclaimed all idea of giving securities, and, least of all, of conceding the Veto. To the Veto I object, on two grounds: first, as a Protestant, because I would not give the Crown such an increased influence as an interference in the nomination of Catholic bishops must confer; and secondly, I object to the Veto, as a sincere friend to the Catholics, the great majority of whom are decidedly hostile to it. The Catholic bishops, at a synod held in Kilkenny, and the result of whose deliberations is now embodied in the petition before the House, assent to the principle of a domestic arrangement, calculated, in my mind, to appease the nicest scruples of the established church. In this opinion the people of Ireland will concur, because they will ever follow their prelates. All, however, agree in condemning the Veto, and in their sentiments I readily agree.

Colonel *Barry* doubted whether the House could receive the petition, inasmuch as it professed to be from persons who called themselves the bishops, and not the titular bishops of Ireland.

Sir *J. C. Hippisley* held the same opinion with the hon. general, and had it not been already expressed by him, he (sir J. C. Hippisley) would have considered it his bounden duty to propose to the chair, whether there did not exist a legal objection to the receiving of the petition. He referred to the Irish act of the 21st and 22nd of the king, which prohibited all Popish ecclesiastics from assuming any ecclesiastical title within the realm. He therefore did not conceive that the House, consistently with its duty, could receive the petition. He had already proved himself a friend to further concessions to the Roman Catholics, and concurred in the high character which the hon. baronet who presented the petition gave to the Catholic prelates and clergy. He had known many of the Catholic prelates of Ireland—had corresponded with them on terms of confidence, and was fully persuaded of the integrity of their civil principles; but while the law to which he alluded remained unrepealed on the statute book, it was imperative on the House to enforce its execution. He spoke advisedly on this subject, for his opinion was formed on that of several eminent professional men.

Sir *J. Newport* was not a little surprised to hear the hon. baronet object to the petition on the grounds of those persons having styled themselves bishops, while he himself so readily designated them as prelates, and acknowledged his having corresponded with them under that character. The hon. baronet had expressed a great veneration for the statute to which he had alluded, but was he aware that by a clause of that very statute, he had subjected himself to a heavy penalty for corresponding with those interdicted bishops? That statute, however, had been virtually repealed by the statute of 1795, and the title of bishop was no longer a crime in an ecclesiastic of the Catholic religion. To the opinion expressed by the hon. baronet he would oppose the no less respectable one of a prelate in the other House, to whose sentiments he might refer as a matter of history. During the discussions in 1793, bishop Horsley, speaking of the Roman Catholic prelacy of Ireland, said, "My lords, they are as much bishops as any of my reverend friends who now sit on this bench." The hon. baronet concluded by observing, that the House would not act in the spirit of conciliation, if they revived the operation of an act, whose power was confessed to be doubtful, and which at present could be effectual solely for the prevention of the subjects petitions.

Sir *J. C. Hippisley* contended, that even in the opinion of writers of the Catholic community, the act to which he alluded was not repealed by the statute of 1793, though he admitted that its existence was an anomaly. The English statute in fact did tolerate the episcopal order. It was not a question whether they were bishops, but bishops of Ireland and whether they were at liberty to use the title of bishop in Ireland.

Mr. *Leslie Foster* thought no objection could exist to the petition, for the House should consider, not their titles as stated in the commencement of the petition, but how they affixed their signatures. Now the petitioners did not distinguish themselves by any particular see, but merely by their christian and surnames. Had it been otherwise, it would undoubtedly have been the bounden duty of the House to reject it.

Sir *John Nicholl* agreed in opinion with the hon. gentleman who spoke last, and added that the petitioners did not even style themselves bishops of Ireland, but, "bishops professing the Roman Catholic religion in Ireland."

The petition was then read, and ordered to lie on the table.

FORGED BANK NOTES.] General *Thornton* rose, pursuant to notice, to move for "an account of the expense incurred by the bank of England, in prosecuting persons for Forging Notes, or for uttering or having in their possession forged notes, for the last four years, from the first January 1812, to the first January 1816, distinguishing each year." He observed that, according to returns made to that House, forged notes to the amount of 100,000*l.* had been refused payment by the bank, which must necessarily be a great evil to the public.

Mr. *Thornton* said, he did not perceive the utility of the motion, a compliance with which would necessarily be attended with great trouble and delay.

The motion was then negatived.

PROPERTY TAX.] Mr. *Brougham* alluded to the motion of which he had given notice relative to the destruction of all the returns made respecting the Income Tax. He understood that no objection would be made to the motion, and that the only question was as to the mode of collecting the papers for the purpose of destroying them. He therefore wished to know what steps had been taken, or were intended to be taken for this purpose.

The *Chancellor of the Exchequer* assured the House that there was no wish to preserve the returns alluded to, and that such directions had been given as would substantially effect the object. A circular had been sent to the different offices for this purpose. It was proposed to erase the names of individuals from all returns. The returns themselves would not be entirely destroyed, as it was necessary to preserve an account of the sums contributed by the different classes of the people. As to the returns to be made for the future, they would be made so as to keep the names of persons out of sight, by making the returns by numbers instead of names.

Mr. *Brougham* expressed his satisfaction at the arrangement, particularly as to future returns, and admitted the propriety of keeping an account of the different classes of persons who paid. But he expressed his doubt at to the mode of erasure; he thought burning the papers would be much better, and there was a public officer, not in very great estimation, whose assistance for this purpose might be very advantageously called in [a laugh].

EXTENTS IN AID.] Mr. *William Smith* said, he was not sorry he had postponed his motion till now, as a paper had been produced which contained much information. It appeared, by returns of the number of extents since 1800, that there were in 1801 nine, in 1802 ten, in 1803 eleven, in 1804 seven, in 1805 five, in 1806 eight, in 1812 twenty-nine, in 1813 eighteen, in 1814 forty-two, and last year a hundred and eight, being eleven times as many as ten years ago. He expected assistance from hon. and learned gentlemen opposite, though they might not agree as to the means. The exchequer court was anciently of high judicature, particularly in revenue cases. Extents were either in chief or in aid; one on immediate crown debtors—the other at the petition of a crown debtor, in order to satisfy the crown demands, when the party was unable to pay, his means being withheld. There might be reasons for this when commerce was less, and the state of the revenue different. Now the power of extents was enormous. He had seen an instruction from the excise to its officers, stating the advantages of extents over every other mode. The crown debt might be levied not only on the goods of the debtor, but on the cattle of others on his lands. He instanced the hardships that might occur in the case of a cattle fair, if an extent came down: all the beasts from the highlands of Scotland might be taken. So, in extents on freeholds, they proceeded against debtors in several degrees. The word prerogative was used in a sense wherein the Crown had no interest whatever. The question was, whether this mode of collection was for the advantage of the subject generally, and whether it answered its object. The old cases were chiefly those of receivers. In Edward 3rd's time, the Commons prayed that a set-off should be allowed for what was due to the subject, and the king replied that he would take advice as to the best way of easing his people: but since then, the practice had gone on of not admitting the set-off. He would not enter into the wisdom of the law; but where the case was as between subject and subject, he thought the propriety of the set-off must be admitted. The reason as to the King's emergencies, the *ardua bellorum*, upon which these extents were in remote times justified, must have long ago ceased, and perhaps for the same reason extents in chief might in the present day be dispensed with. Those, however, which still continued to be issued in aid, were burthensome to the last degree upon the subject. In the ordinary process of execution, the party against whom it was taken out enjoyed at least three months, and often a much longer time, for making his defence, or for raising the means of staying execution. An extent in aid was in the nature of execution without any notice at all, and the form of it was simply this: the party suing it out applied to the Crown-office for a writ against himself as a debtor of the Crown. Thus the proceeding commenced in fraud; for the Crown had, in ninety cases out of a hundred, no cognizance of the matter, and the process issued was directed solely against the debtor of the plaintiff. The writ, however, was addressed to the sheriff of the county, requiring him to summon a jury in order to take an inquisition upon the suit. In what manner did the House suppose the verdict was found; or of whom did it imagine the jury itself was composed? The writ of inquest was carried into the sheriff's court, and the affidavit upon which it was grounded exhibited, upon which the jury uniformly found the debt. Instead of their being formed of substantial householders or considerable inhabitants of the county or in the vicinity, they consisted either of persons who were in attendance for this sort of employment, or, if the number was insufficient, it was made up of hackney-coachmen, or any individuals who might be met with on the highway. He need state but one circumstance to induce the House to give credit to this description, and he could assure them that the jury so formed received 1*s.* each for the verdict. Such was the practice at least in the county of Middlesex, and with this he had made himself perfectly acquainted. The party having by these means obtained a verdict, then went with his affidavit before one of the barons of the exchequer, and asked for a *fiat.* By the resolutions of the whole court of exchequer, in the reign of Charles 2nd, it was declared that this *fiat* should be granted only upon debts due originally to the Crown, upon debts of specialty, and after motion in open court. All these guards and provisions had become of no practical effect of late years, and he had cases to produce which would, he was sure, excite the curiosity and rouse the indignation of the House, in which simple contract debts, with which the Crown had no connexion, had been assigned to the Crown, and this without any motion in court. He had heard it said, that the present practice arose out of the bankrupt laws; but no practice could be more effectual for the purpose of defeating the operation of those laws. It gave to one creditor what belonged jointly to all. When an extent came down, it seized upon every thing, even the person of the debtor; and if his effects were not sufficient to satisfy the last shilling of the debt due to the Crown, or rather to this fiction of the Crown, he was excepted from the benefit of the insolvent acts. Such a power was extremely oppressive in the hands of the Crown, but, when exercised between subject and subject, it became intolerable. The goods of the unfortunate debtor, when seized, were always immediately sold for what they would fetch; and he knew a case in which the property of an individual had been sold for not more than one shilling in the pound of their value. All this might happen, and yet there be no legal debt; for the claim rested entirely on the affidavit of the party who sued out the extent. Although the case might be afterwards reviewed in court, the defendant, it must be recollected, was perhaps already in prison, was deprived of his books, and probably of the means of feeing counsel and maintaining his cause. It was very seldom indeed that these extents were set aside on motion: in nearly every case it was necessary to plead, and the object could generally be obtained only by trying an issue. In the mean time the party had been obliged to surrender his books, whilst his debtors were interdicted from paying him their accounts on pain of being compelled to pay a second time. He believed there were few instances of extents being set aside, except where the defendent was a man of powerful connexions, or after a commission of bankruptcy had issued, and even in cases like the last it had sometimes cost the assignees not less than 500*l.*; for in addition to all the other severity and injustice of this proceeding, the defendant was saddled with all costs, whatever might be the judgment of the court. He was aware that the ordinary writ by which the court of exchequer held plea of causes between subject and subject, was the *quo minus sufficiens existit;* but, by the present practice of issuing extents in aid, it was hardly necessary to show that any debt was due to the Crown: the party taking out process had only to swear that he was debtor to a certain amount, and obtain an extent for any sum, no matter of what magnitude. If he owed the Crown 500*l.* he might by this proceeding seize to the amount of 10,000*l.*, putting the 9,500*l.* thus wrested from all the other creditors into his own pocket. He doubted whether a system of such absurd and palpable injustice would be endured in any other country, even in Turkey itself: but it was peculiarly mischievous in England, where it was so necessary that confidence between man and man should be strictly maintained. That this was a new as well as a dangerous practice might be shown by a case which occurred in 1731, in which an extent was refused upon the specific ground that it might operate injuriously as between traders: and it was added that this might be nothing more than a simple contract debt. In another case the court rejected the application because the affidavit was not drawn up in the ancient form, and declared, that although they were masters of their own forms, they would not allow the prerogative of the Crown to be made a handle for the recovery of private debts.

The further back, in point of fact, that the precedents on this subject were traced—the nearer they approached the *antiquos fontes* of law, the more favourable for the subject would appear the construction of this prerogative, notwithstanding we now lived in an age when the interests of commerce were of so much greater importance than in earlier times. In the case of Capel and Brewer in the year 1687, which was an application in chancery for relief against an extent in aid, sued out by one of the farmers of the revenue who had assigned the debt to the Crown, the court observed, that it had become a common process for the recovery of private debts, and that it was a great oppression, tending to render a commission of bankruptcy ineffectual. This was the doctrine in 1687, now 128 years ago; and yet in this commercial age, after the provisions of the bankrupt laws had been so often strengthened by the legislature, he had found in Mr. Bingham's "Law of Executions," the latest publication on the subject, this most extraordinary opinion, viz. that if the common form of the process was observed, the party taking it out might obtain a good *fiat*, although for the sole purpose of recovering his own debt. This opinion might not be good authority: it was stated to be quoted from "Tidd's Practice." The hon. and learned gentleman smiled, but he would show that the practice at least gave plausibility and colour to the doctrine. One of the evils was, that it affected a man's partners as well as himself. A partner of a banking-house might be surety for a sub-distributor of stamps, and the advantage of this was well understood. Such a banking-house had it always in its power to get an extent against any debtor, and its operation pursued the debtors of that debtor, and so on, till the original claim was satisfied. A country banker, for instance, might fall upon the goods of some tradesman, and through him seize the effects of some poor widow who was subsisting on a miserable pittance. Its effects were like those of the great principle described by the poet, which—

> Lives through all life, extends through all extent,
> Spreads undivided, operates unspent.

He would now come to the individual cases of which he had to complain, and which, he trusted, would amply supply the defects of his argument. They formed a long list, and he would venture to say there was not one from which the Crown had benefitted a single shilling. In every one of them the party applying for the process had been much more than able to discharge his own debt to the Crown, but had thought proper, and in his opinion, most fraudulently, to employ this fiction for their own private ends. Many men had no moral restraint but the words of a statute; and he had seen instances, with regard to the exercise of this power, of such scandalous misconduct as almost to induce him to expose the names of the parties, and hold them up to public ignominy. *Hic niger est.* His first case was that of a corn-dealer, who had given a large bill of exchange to a country correspondent; subsequent to which, and before the bill was due, his credit became injured, and a docket was struck against him. The holder of the bill then repaired to an acquaintance of his, a farmer of the post-horse duty, saying, "such a man is in bad credit, therefore discount me this bill, and you have the power of issuing an extent against him." The farmer of the post-horse duty discounted the bill, for what consideration he would not pretend to say; and having made affidavit that this was an original debt, the extent issued, and although the transaction was one complete tissue of fraud, it was with difficulty set aside by the assignees at an expense of 500*l.* The very same party took out another extent against another individual, whom he had accommodated while on the verge of bankruptcy; and being asked how he could trust a man in such circumstances, he replied, "I knew better than that; I had an extent in my pocket to secure the debt." The great bulk of these cases of extent lay where country bankers had become receivers of the revenue, and where perhaps one of the partners had contrived to make himself a debtor of the Crown, for the very purpose of issuing extents in aid on the property of those who were debtors of the firm. He did this in cases where the Crown was in no danger whatever of losing its debt, but where the banking concern was worth ten, twenty, or forty times the amount. Other cases of extents arose from the distributors and sub-distributors of stamps. The number of extents in aid under the head of stamps was only one in 1802, but they had since risen to twenty-eight in the course of last year. Indeed, from the papers laid before parliament, it appeared that they had excessively multiplied of late years. In 1802, the extents in chief were only 46, and the extents 10; but in 1815, the extents in chief had arisen to 233, and the extents in aid to 108. He knew it to be a fact, which he should prove before a committee, that many extents in aid had issued out of the stamp-office, which were granted without there being the slightest ground to assert that the revenue of the Crown was in danger. Out of the many cases which had been stated to him he should only mention two, accompanied with such extraordinary circumstances that they must stand in the room of all the rest. The following was one of these cases:—two persons in partnership, wholesale stationers in the city of London, had entered into a contract with a paper-maker in the country (who is of course under the excise) for some goods, which having been delivered irregularly, some dispute arose about the quantity received and paid for. The paper-maker, however, obtains an extent in aid for the debt which he claimed under this disputed account, seizes the whole of their goods and papers, throws these individuals into prison, and the rest of the creditors all went without a shilling of the property. These poor men were now lying in gaol, without money to support their families. He had letters from both these parties stating the above circumstances; and he had also in his possession the opinion which a respectable counsel gave on their case. This opinion stated, that it had been held that though the debt due to the person issuing the extent was less than what he owed to the Crown, yet that he might get an extent issued to the amount of the whole of that debt. The counsel gave it as his opinion, that probably the best course would be to refer the matter to the deputy-remembrancer, who might settle the account between the parties. And here let it be observed, that the gentleman who gave his opinion as to a remedy with so much hesitation, was a person of eminence in his profession. Another course, he added, might be, to file a bill in equity for the purpose of compelling the man who claimed to be a creditor to come to an account; and this, let it be observed, was the recommendation given to persons who were without a shilling in the world. The last recommendation of the counsel was, to come to some settlement with the party, without the intervention of law—with the very party who had been the cause of their utter ruin, and who had the whole of their property in his possession. The other case was a still more extraordinary one, and accompanied with still greater hardships. The extent in this case was issued at the instance of the very same paper-maker who had issued the other. A very ingenious man of the name of Holden had thought that it would be an undertaking not only beneficial to himself, but to the country, if he could make a sort of universal directory for all England, containing the names and address not only of persons in trade of any eminence, but also of men of landed property. He expended many years of his life in preparations for this work, and also several thousand pounds of his property. The work was to consist of four volumes, and he had obtained 1,000 subscribers at the rate of a guinea a volume. The expenses, however, proved so large, that when he had finished the first volume, he was obliged to call his creditors together, and state to them, that unless they allowed him a little time he must stop, but if they would not press him, there was every chance of their obtaining their money. His creditors, among whom was this paper-maker, unanimously, as he thought, agreed to this proposal: he thought that the individual in question had also agreed to it. This fact stood alone on the testimony of Mr. Holden, who was now dead, and therefore was incapable of proof. But whatever there might be in this, the paper-maker watched his opportunity, and while the poor man thought himself safe, he issued an extent against the whole of his property. The whole of the copies were sold under the extent for little more than a shilling a piece, instead of a guinea, the subscription price, so that it was doubtful whether he even got enough to pay himself: certain it was, that no other creditor got a shilling; if there was any surplus, he had secured it all; and yet the man who did this bore the reputation of being worth thousands, so that the Crown ran no possible risk of losing any debt which he might owe to it. Mr. Holden died in prison of a broken heart. What was most absurd in this case was, that the Crown by the issuing of this extent lost its taxes. The land-tax of Mr. Holden's house the landlord was obliged to pay, but the house-tax and the window-tax were not paid at all. The Crown was thus made the instrument to cheat itself of its own dues, by issuing an extent on the application of a man who was much more than competent to pay what he owed to the exchequer. Such were the absurdities as well as iniquities of which this system was productive. He would assert that every circumstance he had now stated was true, and should establish them before a committee. He could state a variety of other instances of almost equal hardship, but he trusted he had at least made out a case which demanded the consideration of parliament. He had received complaints from various quarters, that if the evil were not soon stopped, an end would be put to all confidence between man and man. It was impossible that meetings of creditors could come to any satisfactory resolution, if any one of them could thus step in with an extent, and seize the whole of the property. He knew that a race was sometimes actually run by the assignees and a particular creditor,—the former to get a docket struck, and the latter to obtain a fiat for an extent. In one instance a baron of the exchequer had been dragged out of his bed in order to sign a fiat, and the rapidity with which it was done allowed no time for obtaining information as to its justice.—He now came to consider the remedy; and with this view he would suggest the expediency of appointing a committee to inquire into the law as it now stood, together with the facts which he had stated, in order to see what remedy could be devised for the evil. It had been suggested to him, and probably the suggestion would now be repeated, that the court of exchequer had a jurisdiction over its own forms, and could itself correct the abuse. In answer to this, he must remark, that the practice in the hands of the exchequer had been growing worse and worse from year to year. He imputed nothing more to the court than inadvertence in the issuing of these extents; but finding that they had increased so prodigiously of late years, attended with all the circumstances he had mentioned, he was compelled to conclude that the matter required parliamentary revision. Besides, he knew a facility had been given in some of the offices of the exchequer to the issuing of extents to a degree that would scarcely be credited. A gentleman he knew applied at one of these offices for an extent, and was told that the form of it was, that by the danger of his property in the hands of his creditor "he was less able to pay the King's taxes." The gentleman, conscious that he was quite able to pay, rather demurred to this, and said he should prefer the words "might be less able to pay." The form was instantly altered according to his wish, the affidavit was made, and time was hardly given to the baron of the exchequer to read it before he signed his fiat. He could state other facts to show the abuses which existed. A person who was called a country gentleman not long ago applied to a respectable solicitor of his acquaintance, saying that he wanted to be made a collector of the King's taxes. The solicitor inquired what possible object he could have in obtaining such an appointment. "Oh!" replied the other; "I shall then be able to get extents in aid, and collect all my own debts." He knew another person in the country who wished to be appointed an agent of the Sun Fire-office; and his reason for this was, that he would then so far become a public accountant, that by means of extents in aid, he should be able to get in his own book-debts. He knew an attorney in the country who was a partner in a banking-house, and also a distributor of stamps, and who by these means got extents to enable him to collect his debts as an attorney, and the debts of his partnership concern. He could mention, if necessary, the names of the individuals, but what he had said was sufficient to show the laxity with which these extents were issued from the exchequer. Abuses like these, he contended, were intolerable in a country once famed for the honour and integrity of its merchants. Besides, it might be shown that the most contradictory opinions prevailed with regard to the proceedings of the court of exchequer and its powers. Mr. Anstruther, in the preface to his Exchequer Reports, complained that few of the recorded legal decisions there were to be relied upon. In one case he had shown that there was no regular form of words adhered to in affidavits for extents. He quoted a case in which several of the barons of exchequer complained of the want of authorities. Where so much uncertainty prevailed, it would be ineffectual to apply to the authority of that court. He also adverted to a case of extent, attended with great hardship, brought into the court of chancery, and on which the chancellor remarked, that the court could not look to the consequences—it could look only to the law. He would say, then, let that law be altered. He could not consent to trust the removal of such intolerable grievances, which had gone on of late years with a rapidity indescribable, to the rules and orders that might be issued by the court of exchequer. If a committee were denied him, then, he should bring in a bill for the purpose of altering the law, not on his own responsibility, but with sufficient legal assistance to render it not unworthy of the acceptance of the House. If he could not obtain either a committee or a bill, he could not consent that the matter should be referred entirely to the barons. He concluded by moving, "That a committee be appointed to take into consideration the practice of granting, out of the court of exchequer, extents in aid of the debtors of the Crown, with the abuses which have taken place therein, and to report thereupon to the House."

The *Solicitor General* said, that the hon. gentleman might rely on the exertions of his hon. and learned friend (the attorney-general) and himself to correct those abuses of which he complained, as they arose in the courts of law. They had always been in the habit of setting their faces against such abuses of the process of the Crown. He had been called upon, as a lawyer, to give his assistance in setting aside extents; and in every case of this kind he had been successful in showing to the court that such extents should be set aside. It was very likely from the greater number of those extents that had been issued of late years, that many of them had been improperly sued out, and nevertheless had not been brought before the court for correction: but in all other processes there were instances of abuse and oppression, and it was impossible for the court of exchequer in every instance to prevent this process from being abused. He should have liked better if the hon. member, instead of moving for a committee, had at once proposed some law on the subject, because then the House would have seen whether the abuse arose from the construction of the law, and required that parliament should interfere for its removal. He would again say, that there was a power in the court of exchequer to set aside extents that had been abusively employed. Whether the hon. gentleman meant to propose that the principle of extents in aid should be narrowed, he knew not. He would again admit that there might be many cases of individual hardship, but these might not only originate from extents in aid, but from extents in chief; and he was surprised to hear it intimated, that because a man's property was laid hold of by an extent, he was denied the opportunity of rebutting the charge of debt. The party had a right to bring the question to trial, whether he was so indebted or not. The extent, no doubt, laid hold of the property, but still it was as open to the individual to try the question as it was in any other case of debt between man and man. The hon. gentleman had said, that some of the lowest and most ignorant persons, such as hackney-coachmen, were summoned on these juries; but he believed that the persons summoned on these occasions were the same that sat to assess damages on the execution of writs of inquiry. If, however, there were any instances of such improper persons having been summoned, it was a gross dereliction of duty in the under-sheriff. He apprehended there was a complete power in the court of exchequer to correct abuses in the individual cases which took place. There were certain rules and forms which ought to be adhered to; but the court could not be answerable for the improper use of the process in the first instance. The House must be aware, that writs of debt were frequently sued out of the courts of law on false affidavits. But though the courts could not prevent this abuse of the process, they had the power, and exercised the power, of doing justice to the individuals who were thus oppressed. It was the 33rd of Henry 8th, which directed the mode of issuing extents. With respect to the remedy of extent in aid itself, he should be sorry if it were reduced to the narrow ground which the hon. gentleman seemed to wish. The law had from all times been, that the writ of extent should go against the debtor of the Crown; and the law was, that the extent in aid should go against the debtor of the Crown's debtor. His objection to the committee was, that the House had no precise object pointed out to them to which the committee was to direct its attention. There was a power in the court of exchequer to remedy every abuse that might arise, though, as he had already observed, it could not prevent the improper use of the process, if a man would venture to make a false affidavit. It could not be expected that the learned judges were to read every affidavit that was sworn before them, but they would ultimately do justice between the parties. It did not therefore appear to him that the hon. gentleman had made out that sort of case which called for the interference of the legislature. There might be abuses in issuing the process, but he did not believe there was any abuse in the law itself; and for this reason he should move the previous question.

Sir *Samuel Romilly* said, it must be admitted that there had been an abuse of the process; but his hon. and learned friend had stated, that there was no abuse in the law itself. He wished that his hon. and learned friend had mentioned what he conceived to be an abuse of the law. He (sir Samuel) had in the course of his profession found the most enormous abuses in giving a preference to creditors, more especially in cases of bankruptcy; and, with respect to extents in aid, if a man was the creditor of another, he had the power, merely as debtor of the Crown, to issue an extent, and sweep away all the property, without leaving a farthing for others. His hon. and learned friend had said, there were abuses of this process which the barons of the exchequer would remedy; but they had decided only, that it was an abuse where the party was not a debtor of the Crown. Suppose, however, an opulent banker in London, who had a surplus of 100,000*l.* after the payment of all his debts, happened to be a debtor of the Crown, and at the same time the creditor of another person; this banker was entitled to have an extent in aid, and thus obtain a priority over all other persons. All these prerogatives of the Crown were originally vested in it for the public benefit; and the party who prayed an extent in aid ought first to make oath, that unless he had that process, the debt he owed to the Crown would be in danger. This simple regulation would cure the abuse altogether; but, at present, it was quite clear that the use of this process made a debtor to the Crown a privileged person, whereas all creditors ought to stand on an equal footing.

The *Chancellor of the Exchequer* said, he had been informed that extents in aid had been very improperly issued, in consequence of the distress which prevailed during the last summer; and the general question was stated to him in a way which induced him to make further inquiry into the subject. The lords of the treasury had since directed the judges to consider what regulations ought to be adopted, and to make their report. He likewise wished to state, that the treasury had given directions that no persons concerned, either directly or indirectly, in country banks, should be allowed to act in the collection of the revenue.

Col. *Wood* begged to state a most flagrant abuse of this process, which had occurred in the county of Brecon. An extent in aid was issued against George North, a banker in that county, to the amount of 8,000*l.* Having been informed of this circumstance, he applied to the treasury, from whom he received every facility, but he found that his majesty's government had nothing to do with the transaction. He was then referred to the solicitor of the treasury, and was informed that the extent was taken out by John North, the brother of the banker, a farmer of the post-horse duty, who swore that he was indebted to government in a sum of money, and that his brother owed him 8,000*l.* He then found that a brother-in-law, of the name of Maund, had made George North a bankrupt, and under John North's extent the effects were all carried to Maund's house, and the other creditors were defeated. Now, it was not the use of the extent which the creditors complained of, but the abuse of this practice: they wished to prevent one creditor from stepping in and sweeping off all the property. This practice of issuing extents in aid placed the Crown in a most invidious light, and unless a stop were put to it, ministers would bring an odium on the Crown which it did not deserve.

The *Attorney General* said, that if any person should have been guilty of a fraudulent abuse of the process, the court of exchequer would take care to defeat the fraud. His hon. and learned friend, who generally attended that court, went there to desire that the judges would not suffer any individual to make a stalking-horse of the Crown's interest. Directions had been given, which he hoped would prevent the improper use of the process in the first instance. It had been expressly ordered, that in future the extent in aid should not be abused, but kept, as it ought to be, in aid of the Crown's debtors. For these reasons, he felt it his duty to vote for the previous question.

Mr. *Lockhart* observed, that the answer of the chancellor of the exchequer, who said that government had sent to the judges and told them that the Crown was anxious to prevent abuse, and the observations of the law officers of the Crown, had greatly alarmed him, as he thought this mode of proceeding was most unconstitutional. If the practice of issuing extents was a prerogative of the Crown, had the court of exchequer, had the judges, any right to declare in what manner that prerogative should be exercised? If they had a right to narrow the conditions, they might also extend the prerogative of the Crown. The court of exchequer had no power to alter its regulations without the consent of the legislature. He should certainly give his support to the motion.

Lord *Castlereagh*, observing that the hon. gentleman complained that the process of the Crown was applied to the purposes of individuals, admitted that this had sometimes been the case; but he was not yet prepared to say what might be the remedy for the evil, and he thought it not expedient to draw the question in the present stage out of the consideration of the law servants of the Crown; he concurred, therefore, in the propriety of moving the previous question.

Mr. *Ponsonby* thought that the difference of opinion which existed among the law servants of the Crown afforded the strongest ground for entering into an examination of this subject. As to any fear of disturbing the authority of the courts, nothing was so detrimental to the character of justice as to imply that any inquiry could do discredit to those courts. Whether the court had sufficient authority of itself to remedy the evil, or whether legislative interference were necessary, what mode of inquiry was so proper as a committee of that House? This committee should not consist of lawyers alone, for other men of sense and judgment often struck out hints which even lawyers would thank them for.

Mr. *Wetherell* thought the committee would be useless, as he did not see how any remedies they might recommend could be applied. The court of exchequer had the power in itself to correct the abuses complained of, and it was only three weeks since that court had suppressed several extents which were proved to have been improperly issued.

Mr. *Wynn* contended, that this was not a narrow abstract question, which the judges of the court of exchequer were as competent to investigate as that House. It was, in fact, a question of policy, how far the prerogative of the Crown should be exercised, with respect to the property of the subject. The consideration of such a point as that came within the scope of the powers of the House, rather than within the consideration of the judges. From the great increase of the revenue in late years, that power which formerly could be very seldom employed became extremely dangerous and highly inconvenient, when it was extended to every distributor and sub-distributor of stamps. In every point of view he considered the formation of a committee to inquire into the subject, as the most proper mode of proceeding; since it was impossible for them to legislate, without knowing the whole extent of the grievance complained of.

Mr. *Marryat*, as a commercial man, found himself called on to express his opinion on the subject. The solicitor-general had said, that an individual might traverse the extent, and gain redress if it were improperly issued; but he must in the mean time submit to all the discredit and inconvenience of keeping a bailiff in his House, which circumstance alone might sometimes operate his ruin. The attorney-general had stated, that the court of exchequer might make proper regulations; but there were many cases in which they could not possibly interfere. He himself had been assignee of a house that failed, greatly connected with country bankers. These bankers sued an extent, and the assignees paid them 100,000*l*., in consequence of which the estate did not yield a shilling to the other creditors: it was not pretended that the bankers were likely to fail in their engagements to the Crown; on the contrary, they were at the time in the highest credit. They consisted of five partners, and only one out of the five was a debtor of the Crown, yet at his suit alone was an extent issued for a debt due to all the five, who of course were all benefited by the effect of it. He (Mr. M.) under the advice of counsel, resisted the extent, and tried the matter in the exchequer, where it was given against him: he then referred it to a higher tribunal, which confirmed the decision of the court of exchequer: so that from this it appeared to be the law of the country, that one person who was a debtor to the Crown might extend the benefit of his privilege to twenty others entirely unconnected with government receipts. Where one of the parties was indebted to the Crown, he not only paid 20*s*. in the pound to him, but to all those with whom he was connected; and this to the exclusion of every other creditor. This was an injustice which it appeared the court of exchequer could not remedy; the House, therefore, was bound to inquire into the subject.

Mr. *Courtenay* argued in favour of the committee. The complaint was, that these extents were frequently issued improperly. What did his learned friend, the solicitor-general, say in answer to this? He stated to the House, that, in several cases, in which he had lately been engaged, in the court of exchequer, the proceedings had been stopped. This was a strong argument in favour of inquiry, since it proved that extents had been improperly sued out.

Mr. *Peter Moore* supported the motion. As a proof of the oppressive operation of extents in aid, he instanced the case of a quaker, one of his constituents, who had, for ten or eleven hundred pounds purchased a freehold from a person who filled the situation of distributor of stamps. When the accounts of this distributor came to be investigated, he was found to be very much in arrear. An extent issued, and the poor quaker's house was seized; although, at the time he purchased it, the distributor did not owe any thing to government. If the committee were appointed, he would bring the quaker before them, who would tell his own plain, unvarnished story.

Mr. *W. Smith* briefly replied. After which the House divided:

For the Motion	56
Against it	65
Majority	9

Mr. Ponsonby then moved, "That there be laid before this House copies of all rules in the court of exchequer, touching the issuing of Extents in Aid."

The *Attorney General* opposed the motion as improper, since every thing, he was convinced, would be done promptly, for the purpose of correcting those abuses which were admitted to exist. If those whose bounden duty it was to put down this abuse, and to take care that extents were only applied for the fair recovery of Crown debts, did not exert themselves for that purpose, the right hon. gentleman might then bring in a bill, or make any motion that appeared to him necessary.

Mr. *Horner* contended, that it was most unconstitutional for the attorney-general, or any other law officer of the Crown, to pledge himself that the court of exchequer, or any other court, would apply itself to the correction of a particular evil, as a reason to induce parliament not to accede to a motion, tending to the elucidation of the subject. They did not call on the learned gentleman to enter into such an undertaking. All they wanted was, to know what the court of exchequer had already done, and whether they possessed power sufficient to put down those abuses, the existence of which the learned gentleman opposite had not attempted to deny.

The *Attorney General* disclaimed any intention of answering for the proceedings of the court of exchequer.

Mr. *Ponsonby* said, it was absolutely necessary, for the right understanding of the subject, that the rules of the court of exchequer, with reference to extents in aid, should be laid before them.

The House then divided: Yeas, 55; Noes, 70.—Majority 15.

Silver Coinage.] The House having resolved itself into a committee of the whole House to take into consideration the Prince Regent's Message,

Mr. *Wellesley Pole* said, that in calling the attention of the committee to the Message of the Prince Regent, he should certainly, at that late hour, and after the long discussion which had just been concluded, occupy as little of its attention as possible. But while he wished to reduce what he had to say into the narrowest compass, he felt that upon a subject of such importance and magnitude he should not treat the committee with proper respect if he did not explain the grounds upon which the Prince Regent had been advised to direct a new coinage of silver, and the principles upon which it was proposed to carry that measure into effect. The government would not, he was sure, in the opinion of parliament or of the country, have done their duty, if they had not under our present circumstances turned their attention to the state of the coinage, and employed every means in their power to put it on a proper footing. The circumstances in which we at present stood were fortunately essentially different from those in which we had been placed for many years past. We were now at peace with all the world, a great alteration had taken place in the state of our exchanges, instead of the balance of trade being universally against us, as it unhappily had been for a considerable length of time during the late struggle, the exchange with all the world was now in our favour. The high price of bullion which during the war had been so extraordinary and unprecedented, and on the causes of which there had been so much difference of opinion, and so many speculations, was now at an end; and the precious metals had fallen to their natural level. Silver at the present moment was rather under the mint price, and gold very near it. This period therefore seemed peculiarly proper for a general revision of the state of our coinage. There were besides other circumstances which imperiously recommended the adoption of such a measure: parliament had strongly expressed its opinion that the restriction of the cash payments by the bank should not exist beyond two years, the act which had passed for continuing the restriction being limited to that period, and the general sense of the House having been most decidedly against its further renewal; a confident expectation had also been expressed on all sides that measures should be taken by the bank in the interim to enable them to resume their cash payments when the restriction act ceased, and above all such an influx of light foreign silver was pouring in upon us, that if some means were not used to stop it, the most serious loss and confusion in our circulation must speedily occur. The present moment therefore was on every account the fittest for examining the state of our coinage, and placing it on such a footing as would enable us to return to a metallic currency without being exposed to such inconveniences as the country had experienced in former times. The committee were aware, that there was not any gold coin now in circulation, that the silver of the regular currency of the realm was so worn down and deteriorated, that it was not within 30 per cent. of its nominal value, and that it had been found necessary, to supply the deficiency in our silver coinage by an issue of bank tokens. Under these circumstances it would be difficult and indeed impossible to decide upon the principle on which our new silver coinage should be regulated without taking a view of the state of our general coinage in both the precious metals, and considering what had been, what was, and what ought to be our standard measure of value.

The standard coin of this realm the measure of all exchangeable value, the scale to which all money prices are referred had been originally silver: at the Conquest it was found to be so, and the silver coin then in circulation was of the same standard fineness at which it is now coined: the pound in tale was then equal to the pound in weight of standard silver, divided into 20 shillings, and each shilling into 12 pence or sterlings, each penny weighed one penny weight or 24 grains. This was the division of our money of account, but the only silver coins made were pennies or sterlings. In the reign of Edward 1st, our silver money was first diminished in weight, and it had since, from time to time, undergone various reductions, which altogether amounted to about two-thirds of the original weight (the pound in tale being now less than it was at the Conquest as 32 to 93); the last reduction was in the 43d Elizabeth, when the pound troy was cut into 62 shillings, at which it has remained ever since. Silver till the reign of Edward 3d, with he believed a small exception in the time of Henry 3d, was the only precious metal of which coin had been made in England. Gold was gradually introduced into our circulation as trade and commerce increased and the country became rich and powerful. The original standard of our gold coins was 23 carats 3½ grains fine, ½ a carat grain alloy; this standard continued unvaried till the reign of Henry 8th who introduced the pound troy for weighing the precious metals (instead of the moneyers or Rochelle pound, which was 3 quarters of an ounce lighter than the troy pound) and coined gold at 22 carats fine and 2 carats alloy, which was called crown gold, and is now our gold standard. Gold of both standards however continued to be coined till 1663, and some gold of the old standard (for both standards circulated together) was in circulation as late as the year 1732. As our gold coins increased they became more generally circulated, they were from their first appearance, coin of the realm, their value fixed and frequently changed by proclamations, and they were withdrawn from, or thrown into circulation by the rate at which it was found convenient in the earlier reigns to fix them; at length they were as much the current coin of the realm as the silver coins, and though not considered strictly as the legal standard and equivalent of value they were yet equally received in payments. As the circulation of the gold coins expanded, the difficulty of regulating the relative price of the two metals to each other, as well as the difficulty of regulating the price of the coins to their respective metals began to be seriously felt, and it appeared that considerable alterations had been from time to time made in our gold money, in the hope of keeping the coins of both metals in circulation. James 1st found it necessary in the early part of his reign to diminish the weight of the gold coins to preserve the relative value of the metals. He reduced the Sovereign of 20 shillings of the old standard from 7 dwt. 4 grs. to 6 dwt. 10¾ grains, and he also rose the price of gold twice in the subsequent part of his reign. Charles 2d, in the 15th of his reign diminished the weight of the gold coins still farther. He reduced the Laurel from 5 dwt. 20½ grs. to 5 dwt. 9½ grs. and called it a guinea. The rise in the price of gold from the 2d of James 1st to 15th of Charles 2d, was about 32 per cent.

The guinea coined by Charles 2nd in the year 1663, were denominated 20*s.* pieces in the mint indenture. But as the public were then disposed to measure the value of every thing that might be sold, by the silver coins, which were in fact the only established legal standard and equivalent of value, so considered in all contracts and bargains, and all mercantile transactions, foreign and domestic, gold coin was not taken at the rate fixed by the mint indenture, but passed according to the price of gold bullion in the market, and the price of gold became so high that the guinea in the year 1695 sold for 30*s.* The effect of this upon our silver currency was to drive the good heavy milled silver to the melting pot, and to encourage the clipping and defacing the remainder of the silver coins; the greatest inconvenience had consequently been felt, and it became evident that the country suffered the most severe loss from the traffic in the coins of the two precious metals, from the influx of gold and the rate at which it was taken in reference to our silver coins, in settling the accounts of all foreign mercantile transactions. Mr. Locke explains the pernicious effects of these practices in the clearest manner in his "Farther Considerations;" and he attributed the principal cause of the evil to the depreciated state of our silver coins. But the true cause, Mr. Pole said, was, that the two precious metals were equally current, and received in payments as coin of the realm, and that it was impossible to prevent their fluctuation in price, and their throwing thereby the whole circulation of the country into confusion.

When the committee took into their consideration this short view of the history of our circulation, he believed he should be anticipated in his opinion that it could not be expedient to allow the coins of both the precious metals to be equally legal tender, and standard money of the country to an unlimited extent. It had been the opinion of, he believed, all the eminent men who had written upon the subject, that there should be but one standard measure of value. Sir William Petty, Mr. Locke, and Mr. Harris, upon this point had all concurred. Mr. Locke says that money, as the measure of commerce, ought to be kept as steadily and invariably as may be, but this cannot be if your money be made of two metals, whose proportion, and consequently whose price, constantly varies in respect to one another. Sir William Petty declares there can be but one of the two precious metals of gold and silver fit to be a matter of money. Mr. Harris observes, that only one of these metals can be the money or standard measure of commerce in any country. In latter times, after a farther experience of the evils arising from the collision of two standards, from the competition raised between the coins of the two precious metals, these opinions had been strengthened by the writings of Mr. Alcorne and Doctor Adam Smith, the late lord Liverpool, and lastly by the report of the bullion committee. All these authorities had agreed that the standard measure of value, the standard coin of the realm should be composed only of one of the precious metals. He believed, therefore, that it would be universally admitted, that there should be but one standard coin of the realm, to be at once the measure and equivalent of property.

On the next point, namely, what was the fittest metal for that standard, there had been much controversy. Mr. Locke, Mr. Harris, and several very eminent political economists were very decidedly of opinion that silver was the precious metal most proper for the standard coin of the realm. Mr. Locke says it is the money of account and measure of trade all through the world, for all contracts are every where made and accounts kept in silver coin; he is sure they are so in England. But it should be recollected that at the time these great authorities wrote, silver was the declared standard coin of the realm; all sales of land, all mortgages, all contracts were made with reference to the ultimate payment in silver; the most considerable payments in our internal trade were made in it, and our foreign exchanges were regulated by it. Mr. Locke's observation that in England he is sure all contracts are made in it, shows, that he felt it was the received standard of value, and this doubtless had great weight with him. It is remarkable, however, that whenever he mentions silver as the only proper metal for the standard coin of the realm, he contents himself with the mere assertion. He says there are many reasons for it, but he gives none; and it would be difficult to state any quality that makes silver a fit metal for coin which does not in as high or a higher degree belong to gold. Gold is equally homogeneous with silver. It is more precious, takes up less room, and is more durable and certainly has proved to be less fluctuating in value: though this has been controverted, the late lord Liverpool had however satisfactorily, in his opinion, proved it. The same authority expresses an opinion that had Mr. Locke lived in our days he would for the same reasons for which he preferred silver when he wrote, now have given the preference to gold, and that he would have applied his principles to the facts as they now exist, and would have drawn his facts in conformity to them. Upon this part of the subject it would be necessary to examine the history of the great silver coinage in the reign of king William, and to trace the effects which it produced upon our circulation, and also to show the progress of the gold coins and the relative situation of the coins of both the precious metals by the law as it now stands; we should then be enabled to decide which of the precious metals ought to be declared to be the standard measure of value and legal tender for payment without any limitation of amount. The late lord Liverpool states the expense of the great silver coinage commenced in 1695-6 to have been 2,700,000*l.* and by a valuable document which has been preserved in the New Parliamentary History of England,* containing the returns from the issues of the exchequer during king William's reign, this estimate appears to be correct. The inconvenience which arose from the mode in which this recoinage was conducted was extremely distressing. The exchange of the new currency for the old lasted several years, and by the regulations for taking in the old money before the new money was coined the country was left with very little silver circulation for a considerable time. It appears by Mr. Locke's writings, that he imagined the new silver coinage would effectually restore the currency to its intrinsic value, and that it would infallibly bring the silver bullion to the mint price, and reduce the value of the gold coin to its proper relative rate to gold. He considered that the rise of the gold coin was principally owing to the silver currency being reduced in weight by clipping and other means so much, that its nominal was become very far above its intrinsic value, and he thought that restoring the silver currency to its original standard of weight, would preserve it, by rendering it impossible for the gold coin to be exchanged for it in the manner in which it had been while the silver was in a course of deterioration. Mr. Lowndes, on the other hand, contended against a coinage of silver upon the ancient standard of weight and fineness; he predicted that the new coin would speedily be exchanged for gold, melted down and withdrawn from the country, but although he maintained that silver was the only proper metal for the standard measure of value, yet he proposed to debase the silver coin by cutting the pound troy into 78 shillings instead of 62, which he considered as the only mode of retaining the coin in the country. Mr. Locke demonstrated that to debase the coin of the realm which was the legal standard of value, and which by law, was at once the measure and equivalent of property, would be to reduce the value of all property, and to defraud every man who had purchased or mortgaged, or to whom money was due under former contracts. In this opinion the legislature appear to have concurred, and the silver coinage was accordingly proceeded upon without any alteration of the standard either in weight or fineness. Mr. Locke certainly was wrong in his opinion, that the restoring the silver coin to its original perfection would reduce the bullion to the mint price, and produce the other good effects he imagined. His opponent, however erroneous he might be in the system he recommended, was certainly more correct on this part of the subject than Mr. Locke.

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* See New Parliamentary History, Vol. V. Appendix, p. ccxlvii.

What he predicted happened. In a very few years after this great silver coinage, which amounted to above 688,000*l.* the gold had nearly drawn the silver coin out of circulation. Although the legislature had prohibited the sale of guineas at a higher rate than 22 shillings, the gold had purchased up the greater part of the silver, and a very large proportion of the new silver coinage had disappeared. The two precious metals were considered by the public as equally the standard coin of the realm, and as the relative price of those metals continually fluctuated it was impossible coin of both should continue in circulation. The gold being overrated the silver naturally disappeared, and as the silver was at that period most certainly the only standard measure of value by law, and all payments were calculated in it, and as it was also more necessary than gold in the internal traffic of the country, a very considerable alarm was excited by its disappearance. All the distress and difficulty which had been felt previous to 1695 which had caused the great recoinage of silver, began to be again anticipated. Under these circumstances, in the year 1717 the government applied to sir Isaac Newton for his opinion as to the cause of the scarcity of silver coin, and as to the measures which ought to be adopted to keep the remainder of the silver coinage in the country. Sir Isaac, in a very able letter in which he discussed the relative value of gold and silver in every part of the world, gave it as his opinion that the melting down and exporting of the silver coin was occasioned by the gold coin being valued too high, and he recomended the lowering the gold coin as the effectual remedy for the evil. At that period the guinea was sold for 1*l.* 1*s.* 6*d.* and sir Isaac valued it at one pound and sixpence or eightpence; consequently he considered it to be overrated 10*d.* or a shilling; he proposed, however, that it should only be lowered sixpence as an experiment, and accordingly in December 1717, the guinea was declared by proclamation to be of the value of 21*s.* and it was ordered it should pass for that sum. This proclamation was the first act of the government which tended to establish gold as the standard measure of value. By common consent it had become the competitor with silver, and, of late years had caused its almost total overthrow. It had nearly driven the whole of the new coinage from the country; and yet, excepting in the cases of the two acts of parliament in 1695, restraining the sale of guineas to 26*s.* and afterwards to 22*s.* Gold, from the first coinage of guineas in 1663, had been left entirely out of consideration by government. It is most singular and remarkable, that during all the fluctuations of the price of guineas in the market from 30*s.* to 21*s.* 6*d.* it continues in the mint indenture as a 20*s.* piece, so that at the time it sold for 30*s.* and when it was enacted that it should not be sold for more than 26*s.* and afterwards for more than 22*s.* it was coined under the great seal by the mint indenture as a 20*s.* piece; nay, it so remained, when sir Isaac Newton was called upon, and the indenture, which rates it at 21*s.* is dated in 1718. From the moment however, that the proclamation of 1717 issued, gold became, in fact, the standard measure of value, and has since been always so considered, not only among ourselves, but in our foreign exchanges, and our gold coins have never since fluctuated in their price in circulation. Silver, instead of being a standard, became, as it were, merely an assistant upon gold, and has since been so considered both at home and abroad. Sir Isaac Newton's recommendation respecting the guinea, may be said to have been therefore, the first step towards effectually changing our standard, and limiting it to one of the precious metals, a circumstance which certainly was not in the contemplation of that great man. He appears to have been quite mistaken in his supposition, that lowering the value of the gold coin, would be the means of retaining the silver coin in the country. The fact was, that the silver coin continued to disappear, and has never recovered the shock it received from the ascendancy which the gold coin had attained, before it was declared to be legal tender as before-mentioned. In truth, from the consideration of the question in the year 1717 to the present time, it had been found impracticable to attempt a silver coinage, the dread of the competition of the coins of the two metals if they circulated together as the standard coin of the realm, and as equally legal tenders to an unlimited amount, and the example of the fate of the silver coinage of 1695 prevented the government from such an undertaking, and for a whole century the silver coined had amounted to only 649,000*l.*, and during the fifty-six years of his present majesty's reign but 64,500*l.* had been issued from the mint in silver coin of the realm; thus the silver became as it were excluded from all large payments, and in its wasted and deteriorated state it was merely used as change for the larger gold coins.

Gold having in the opinion and practice of the public become the standard measure of value, and all our exchanges being calculated by common consent with reference to our gold coins, this coin which had been circulated by tale and not by weight had in the year 1773 become very much diminished in value. It had been much reduced in weight, and by clipping and rubbing had become so light that our exchanges were affected and the attention of parliament was called to the subject. The result was a complete reformation of our gold coinage; all the old gold was called in and recoined, and by legislative enactment and proclamation, the gold coin was in future to be circulated by weight, and could not pass if the guinea was reduced from 5dwts. 9g. the weight at which it stands in the mint indenture, to below 5dwt. 8g. and other coins in proportion. The effect of this measure was speedily felt in a most beneficial manner, and it is mentioned by Dr. Adam Smith, that whereas the exchanges through Europe were all against us before the gold coin was called in, they all turned in our favour the moment the new coin was established and kept to its regular standard weight. Dr. Adam Smith enumerates the countries where this effect was produced, and they comprise all the considerable trading nations of Europe. From this period till the stoppage of cash payments by the bank, there was little or no fluctuation in the prise of gold, and as in practice there was only one standard of value in the country, or in our foreign exchanges, the inconveniences which had formerly been experienced by the difficulty of fixing the relative value of the two precious metals, or from the imperfect state of our coins were no longer felt.

From what he had stated, the committee would perceive, that it was his opinion that gold was in fact the standard coin of the realm, and that it was fit it should be so: that parliament had entertained that opinion was obvious, because the moment the gold coin was reformed in 1774, and the law was established for passing it by weight, an act had been passed declaring silver not to be a legal tender in coin for more than 25*l.*; beyond that sum it was to be tendered as bullion at the rate of 5*s.* 2*d.* per ounce. This was making gold the sole standard to an unlimited amount, and putting the silver merely in the situation, as he had before said, of an attendant upon the gold. This measure was first adopted as an experiment for two years, but it was renewed from time to time. In 1798, the act having expired, the late lord Liverpool advised, that the coining of silver should be prohibited until the whole subject should be fully considered by a committee of the privy council, appointed by his majesty to take into consideration the state of the mint and the coinage of the realm. An act accordingly passed to prohibit the coinage of silver, which is still in force, and next year the act of 1774, limiting silver coin as a legal tender to 25*l.* was made perpetual. The regular silver coin of the realm having been thus thrown out of circulation, it had become necessary to have recourse to a circulation of silver tokens, which were about 21 per cent. below their nominal value. If the committee agreed with him that there should be but one standard measure of value to an unlimited extent, and that gold should be declared to be the precious metal of which that standard was to be made, it would be necessary to decide with respect to the principle upon which the gold coinage was to be conducted in future; there were, however, upon this subject, opposite opinions. Many persons thought that the gold coinage should be reduced in intrinsic value, by deducting from it the cost of the workmanship, or taking what is called a brassage; this was generally practised abroad, but it had never been done in this country since the reign of Charles 2nd. By the 18th of Charles 2nd, since made perpetual, all bullion brought to the mint by any individual, was returned in coin, weight for weight, without any deduction or charge, and the expense of the coinage was defrayed by government. Many however, were of opinion, that brassage ought to be taken, and among them were Dr. Adam Smith, Mr. Harris, and Mr. Alchorne. But reducing the intrinsic value of the coin, which was declared to be the standard of value, would, in his opinion, be reducing the value of all property, and he should, therefore, propose, to continue the gold coinage precisely on its present footing;

indeed, the gold coin of this country was in such repute abroad, that he conceived it would be highly injurious to our interests to make any change in its weight or fineness. It had been suggested to him to coin 20*s.* gold pieces, but several objections occurred to this measure: 20*s.* pieces would be so nearly of the value of guineas, that they could not well circulate together. It would, therefore, be necessary, if 20*s.* pieces were coined, to re-coin all guineas that were brought into circulation. He had no means of ascertaining what number of guineas were in the realm; but if they bore any proportion to the former circulation of gold, the operation of re-coining them would be extremely troublesome and expensive. In the year 1774, the gold in circulation amounted to about 25,500,000*l.* sterling. It was estimated, in the year 1805, by the late lord Liverpool, that there were thirty millions of gold in the country, and it was known that sixty-seven millions had issued from the mint during the present reign: what part of that immense sum still remained within our shores, it was impossible for him to ascertain. It had been supposed, that most of it had been exported, but whatever remained for circulation must be soon re-coined, if 20*s.* pieces were issued.

He would now, with the permission of the committee, state the plan, upon which, under all the circumstances of the case, he thought the silver coinage should be conducted. The standard fineness of silver had not been changed since the time of queen Elizabeth, indeed, not since the Conquest, excepting for short periods, when the whole of our monetary system had been deranged. It was eleven ounces two penny weights fine, to eighteen penny weights of alloy; and the pound troy, from 43d Elizabeth to the present time, had been made into sixty-two shillings. No man now, he believed, who understood this subject, would wish to have the weight or the fineness of the silver coin at all changed, if it were to continue the standard coin of the realm to an unlimited extent, though Mr. Lowndes, whom he had before alluded to, proposed to coin the pound troy into seventy-seven shillings. But if gold was declared to be the sole standard of value, and thereby became alone the established coin of the realm in all payments beyond a small sum to be defined, an alteration might take place in the weight of our silver coins, without any detriment to the public: it might be made a coin of change for the convenience of the country, and a legal tender to a limited extent. It was now an admitted fact, that when the exchanges were very much against this country, it was quite impossible to prevent bullion from being exported, and the bullion, which happened to bear the best price abroad, would certainly be sent there. All that could be done was to make the auxiliary coin so low as that it should not go out of the country in ordinary times. Upon this point he had the authority, not only of the late lord Liverpool, but of Dr. Adam Smith, who suggested that it might be enacted that silver should not be a legal tender for more than the change of a guinea, in the same manner as copper is not a legal tender for more than the change of a shilling; this he thinks, if the silver coin was lowered in value, would effectually guard us against gold exchanging for more silver in coin than it would purchase in bullion, and he adds that no creditor would in this case be cheated in consequence of the high valuation of silver in coin, as no creditor can at present be cheated in consequence of the high valuation of copper. If the pound troy of silver were coined into 66*s.* instead of 62*s.* and the difference between the two retained as a seignorage, he thought such a coinage would answer all the purposes of change, and the intrinsic value be sufficiently near the nominal value. Cutting the pound troy into 66*s.* would give a protection to the coin above the bullion of about 6 per cent. Bullion must rise so much above the mint price, before coin could be brought upon a par with it; this, he conceived, would be a sufficient protection, and an adequate means, he hoped, of keeping the new silver coin in circulation; to reduce the weight further, he thought unadvisable, as it would give encouragement to counterfeit coiners—as the principle of the silver coinage would be to circulate it merely for the purposes of internal trade as change for gold, in the same manner as copper coins are now circulated as exchange for silver. He should propose to limit the legal tender of the new silver coinage to two guineas: this, he conceived, would answer every purpose of convenience, and guard against a possibility of any traffic in the coins of the different precious metals, let the relative price of bullion be what it may. The present government silver coinage in circulation was, according to the best infor-

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mation he could acquire, about 30 per cent. below its nominal value; the bank tokens 21 per cent.: the proposed new coinage would be only 6 per cent. This seignorage of 4 shillings out of 66, would pay the expense of the coinage, which was estimated at 2½ per cent., and leave a profit to government of 3½ per cent.

He came now to the consideration of the most painful and difficult part of the subject, viz. that of the loss which individuals would sustain by withdrawing the present silver coinage out of circulation, and substituting the new coin for it. It was very difficult to ascertain what was the quantity of silver currency at present in circulation exclusive of the bank tokens. In the year 1805, lord Liverpool estimated the amount at 3,960,000*l.*; an estimate which he thought overrated. In that sum his lordship estimated about a milion sterling of half-crowns, of which he believed there were scarcely any now in circulation. In the reign of king William, Mr. Lowndes estimated the silver coinage at five millions and a half; and though our population was now doubled, he did not think we had more silver in circulation, though in addition to the coin of the realm 3,400,000*l.* had been issued in bank tokens since 1811. It was to be recollected, that in the reign of king William, silver was a legal tender to an unlimited extent, and large payments were constantly made in it; in those days it was the practice, as it now is in some foreign countries, to pay large sums by weight in bags of silver. Upon the best view he had been able to take on the subject, he was inclined to think that the amount of the silver coin of the realm in circulation was about 2,500,000*l.*; which with what remained of the 3,400,000*l.* issued in bank tokens which he estimated at about the same amount, would make the total amount of the silver in circulation perhaps not quite five millions sterling. In providing for the calling in of the old silver, that plan which would be the most rapid in its operation, would undoubtedly be the best. If two millions and a half were coined now, three-fourths in shillings, and one-fourth in sixpences, it would afford a coinage of thirty-seven millions and a half of shillings, and twenty-five millions of sixpences, and, he trusted, that in seven months from the day the act passed, the royal mint might be able to produce these sixty-two and a half millions of pieces. In the year 1696, the royal mint, assisted by four other mints, produced thirty millions of pieces in eleven months, this was an astonishing exertion considering the difficulties that were to be encountered and surmounted, but now such was the improved state of machinery, that at the mint alone he flattered himself they might coin the sixty millions in seven months. In the coinage of 1696, great inconvenience and distress was felt in consequence of all the silver being withdrawn out of circulation. Another great evil arose from the circumstance of a part of the silver being issued while the coinage was going on (the whole coinage lasted four years); for the counterfeit coiners took it as it came out defaced it, and sent it back to the mint as old silver, by which means government sustained an immense loss, and that would be the case in a still greater degree now, if a similar mode were adopted, in consequence of the adroitness which now prevailed in counterfeiting the coin of the realm.

He would now state the plan which he meant to propose; the public had for a very long series of years been left without any regular supply of silver coinage the consequence was, that the coin of the realm, by wearing and the various accidents to which time infallibly renders the precious metals liable, must be very much reduced in its value, and yet the people had no alternative but to receive it in circulation. It would therefore be an extreme hardship to allow them to suffer for what might be called the fault of government; He should therefore feel it his duty to propose the exchange of all the coin of the realm in circulation, however reduced it might be in weight. From the danger of circulating the two precious metals as legal standard coin to an unlimited amount, government had abstained from any coinage of silver for near a century: it was, therefore not surprising, that much base and foreign coin had got into circulation. But it could not be expected that base or foreign coin could be received in exchange for the new coin. In 1696 every thing was received into the mint except base metal and copper washed with silver, and in consequence of this extreme latitude, and the circumstance of the issuing a part of the silver while the coinage was going on, government lost upon that occasion, as he had already stated, above 2,700,000*l.*; and if the same course were pursued now it would be impossible to calculate the loss that would be sustained. But while on the one hand, he was anxious to preserve the public from so heavy a loss, he was on the other, equally desirous that individuals, particularly those of the poorer classes should suffer as little as possible. It was, he feared however quite impossible to prevent many persons from sustaining a loss from the calling in of the old coin; all that government could do was to make the burthen as light as possible. It would have been a desirable object to have had the whole of the silver coinage prepared and ready for issuing before he came to parliament, because then the exchange could have been made of the new for the old coin, almost instantaneously, and with very little comparative inconvenience to individuals. That plan, however, was impracticable; we were by law prohibited from coining silver at the mint, and there were also other acts of parliament in force which must be repealed before any of the regulations he had stated could take effect; it was, therefore, absolutely necessary to open the case to parliament before any preparation for coinage could be made. With the view, however, to secure individuals as far as possible from loss, it was intended in the exchange of the coins to receive all the silver that could be recognized to be of the coinage of the royal mint to examine what was offered, as such in the most liberal and indulgent manner, and where any doubt existed, to decide in favour of the individual. It might appear difficult to ascertain the genuineness of coin so defaced as ours was, but he believed there were persons who would be able to determine it with tolerable accuracy. For the purpose of still further securing poor persons from loss, it had been suggested to him (and he now threw it out for the consideration of the committee), that it would be advisable to limit the legal tender of shillings to three, and of sixpences to the same number in any one payment from the passing of the act, till the proclamation issued for exchanging the coin, by which means a poor person would not be compelled to receive many of the doubtful shillings or sixpences at one time. If, for instance, a workman had sixteen or eighteen shillings to receive as wages, he would not be under the necessity of taking more than three shillings, or three sixpences, and might demand the rest in tokens, which the bank, of course, would pay on demand.

He wished gentlemen would turn this subject in their minds, and if any other plan occurred to them better calculated to attain the object they had in view, he would listen to it with the greatest attention. With respect to the withdrawing the old coin and substituting the new for it, he did not think it would be attended with any difficulty which might not be overcome by arrangement and method. He should propose that no alteration whatever should take place with respect to our coin of any description, until two millions and a half of the new coin should be ready to issue from the mint, but while the coinage was in progress, proper steps would be taken to enable government to lodge it for the circulation; when it was all prepared it might be exchanged simultaneously all over Great Britain; a proclamation would be issued calling upon all persons to bring in their old coin to be exchanged within a limited time and he had no doubt that in a very few days the transfer might be completely effected. When the new coin got in circulation it would, of course, supersede the bank tokens which would be brought to the mint to be recoined, and which he trusted might be replaced with very great rapidity. According to this plan the committee would see that the inconvenience that would result from withdrawing the old coin from circulation before the new one was ready for delivery would be avoided. Individuals would not have far to go to get their old coin changed. He hoped that such arrangements would be made as to render it unnecessary for an individual in any case to go more than fifteen or twenty miles for that purpose. It had been said that they ought to issue the new coin during the progress of the coinage, and not to wait till the whole was complete, but he was quite convinced that such a measure would be attended with immense loss to the public, because the new coin would be immediately defaced as it came out, and brought back to be changed as old silver, and it would be impossible to detect the imposture. The proclamation to be issued for exchanging the coin, would limit the period of the exchange; when that period expired, the old coin would be no longer a legal tender, but would be liable to be cut if offered in payment, and the principle upon which the new silver coinage was to circulate, would be enforced from the date of a proclamation to be issued for that purpose. The subject would then be empowered to bring silver bullion to the mint for coinage, as he was under the act of Charles 2nd, but the seignorage of four shillings out of the sixty-six shillings, into which the pound troy was in future to be cut, would be retained from him.

The committee would observe that he had said nothing with respect to Ireland. It was at first intended that 300,000*l.* of the new coin should be sent to that part of the United Kingdom, but upon consideration that plan was abandoned. In Ireland the bank tokens in circulation were coined by government; they were by act of parliament made a legal tender, in the payment of all taxes and duties till the expiration of the bank restriction: they were then to be received by the tellers of the exchequer, and coins of the realm exchanged: under these circumstances it was not thought necessary to interfere with the circulation of Ireland, till the expiration of the bank restriction act.

He should not trouble the committee any longer, except to thank them for their indulgence. He should be happy to give any explanation that might be required either now or during the many opportunities that would occur while the bill was in progress. If the committee should approve of the resolutions which he should have the honour to propose, he should bring in the bill, move for it to be printed, and then let it lie over for consideration till after the holidays. Mr. Pole then concluded, with moving the following Resolutions: viz. 1. "That it is expedient that all silver coin, plate, or bullion, of silver, in mass, molten, or alloyed, or any manufacture of silver, be permitted to be brought to the mint, in pursuance of any proclamation to be issued by his majesty, and melted and coined into current silver coin of this kingdom, of a standard, in fineness, of eleven ounces two penny weights of fine silver, and eighteen penny weights of alloy, in the pound troy, and in weight, after the rate of sixty-six shillings to every pound troy: and that there be delivered a sum in silver coins, after the rate of sixty-two shillings of the standard fineness and weight aforesaid, for every pound troy of silver so bought; and that, for the defalcation or diminution, and for the charge for assaying, coinage, and waste in coinage, there be retained at the mint the sum of four shillings for every pound troy of such silver, which shall be so brought as aforesaid.

2. "That it is expedient that the silver coin of the realm, heretofore coined and now current, be permitted to be brought to the mint and exchanged for new silver coin, according to the denomination for which such old silver coin shall have heretofore passed.

3. "That, provision be made for defraying the loss arising from the deficiency and re-coinage of the silver coin of the realm, and also the charges and expenses of melting down, casting, assaying, and re-coining the same, and all other expenses incident thereto.

4. "That it is expedient that provision be made for regulating the currency of the gold and silver coins of this realm."

Mr. *Baring* adverted to that part of the speech of the right hon. gentleman, in which he had lightly touched a point of much importance, namely, the assumption that gold coin had, within the last seventeen years, become the standard of value. He entered into some detail of the state of the currency abroad, and of the comparison between the quantity of gold and silver, contending that in England gold was dearer than silver, and consequently of more difficult circulation by 4 per cent. He thought it of great importance that the country should be aware of the intention to make the gold coin the legal standard of value, and to shut the door against silver being considered so. Certainly gold would be the more perfect standard, if it could be attained: but he feared that silver being more practicable would, in point of fact, be the standard of value, notwithstanding any legislative enactments. Besides, as a silver circulation could be more easily established than one of gold, the resumption of cash payments by the bank could be more conveniently and expeditiously made in the former than in the latter. The number of guineas at present in the country would form but a slight objection to a change he proposed, viz. that of issuing twenty shilling gold pieces, instead of the present guinea. The right hon. gentleman might not know the amount of the gold coin in the country, but he believed it not to exceed half a million.

Mr. *P*[illegible] suggested that the relative value of the copper currency must be affected by the proposed regulation with regard to the new silver coinage.

Mr. *Huskisson* did not think any evil could arise from the improvement of the relative value of silver to copper. He was strongly of opinion that gold ought to be retained as the general and legal measure of value.

Mr. *Horner* acquiesced in most of the principles he had heard laid down, but could not help expressing his doubts of the success of this measure during the continuance of the bank restriction, unless the bank should adopt a different principle from that on which they had hitherto acted. He apprehended that no precautions would prevent the new coin from being melted. It was a matter of great doubt with him whether, in the present temper and circumstances of the lower orders, this was a favourable period for a new experiment on their peace, or for imposing an additional hardship upon them. He would not press this consideration further, but it was evident that the poorer classes including the small shop-keepers must be the principal sufferers, and he hoped this had not failed to attract due attention on the part of government.

Mr. *Giddy* preferred gold to silver as a standard; every body knew that this standard must be arranged by weight, and this could be done with more facility in the one metal than in the other. He also thought that the currency of Ireland might be assimilated to that of England.

Mr. *Bankes* complimented Mr. Pole for the manner in which he had introduced this question. He, however, concurred in the opinion of Mr. Horner, that this was not a moment in which panic and alarm should be scattered abroad among the people. The greatest caution should be observed in this respect. He thought that until the bank resumed its cash payments, gold should not be fixed as the only standard.

The *Chancellor of the Exchequer* said, that ministers had not been insensible to the delicacy of the measure under the present circumstances; but it was one, not of choice but of necessity. From the present cheapness of silver, there were no other means of preventing the country from being inundated with fabricated pieces, the continuance of which must daily increase the evil.

The resolutions were then agreed to.

HOUSE OF COMMONS.

Friday, May 31.

ALIEN BILL.] Lord Castlereagh moved, that the adjourned debate on the Alien Bill should be resumed.

Lord *Milton* said, that under the operation of the bill, as it now stood, an alien woman, being married to a natural born subject, might be sent out of the kingdom. He thought it advisable to guard against such an abuse, and wished, therefore, to introduce a clause setting forth, that nothing in the act should be construed to extend to any femme couverte, she being an alien, whose husband was a natural born subject.

Lord *Castlereagh* thought a discretion upon that point might safely be left in the hands of government, and that it would only be embarrassing the operations of the bill with needless enactments, to insert the clause proposed.

Lord *Folkestone* said, that the noble lord objected to the clause, not that it tied up the hands of government, but because he wished to have entire discretion and control. The bill was a measure of hardship to aliens, whether meant so or not. Cases of abuse had been stated over and over again, and had not been denied or answered. Persons had been sent out of the country for immorality; one person had even been sent away by mistake for another person; and this had not been denied. The bill might be made the means of gross oppression to aliens who had brought their families and property to this country, who had resided here long, who had all their interest in this country, and might be exposed to the insinuations of a rival in trade. It was an impolitic measure and in contradiction to the old policy. The noble lord read the preamble of an act drawn up by lord Somers, in the time of queen Anne, for naturalizing foreign Protestants. Though it was afterwards repealed, yet the preamble showed the sentiments of those days. It stated, that the increase of the people advanced the public strength, and that many Protestant foreigners would come to reside here, if they received the protection of natural subjects. That policy was well repaid. We were formerly the champions of Protestantism and of general liberty; and those foreigners looked to us with regard and affection who had shaken off monastic and despotic rule. He was descended from a stock who fled from persecution, and found protection here. From the fostering hospitality of this country, every thing that he or his family had, or were likely to have, was derived. The passing of this bill would make it appear as if those who had received British protection had shown themselves unworthy of it. But the times were indeed changed. We had re-established the pope, and the inquisition, and the house of Bourbon, the old and constant enemy of toleration, and had connived at the persecution of the Protestants in France. The object of the bill was to establish a power unknown to our laws and constitution. But the present policy, it appeared, had a view to the possibility of the French government being affected by aliens residing in this country. It was quite novel for the British parliament to legislate for the support of the government of France. He protested against the bill *in toto*

Sir *S. Romilly* said, that as the bill stood, the home secretary could send out of the country an alien woman married to a natural born subject, and even the mother of Englishmen. The question was, whether such a power should be granted? The only reason he could learn for it was that as a former proposition of amendment had been rejected, so ought the present. Because ministers said they were not likely to abuse the powers they asked for, was the House to enable them to do so if they chose? The power had been abused in various cases; in one case of a man who had lived here fifty years, and had made his property in this country. It must also be admitted, that persons had been sent away at the instance of a foreign minister. When these abuses were seen, would the House grant ministers this enormous power? There was no objection to the clause, but the wish of the noble lord to retain the whole power of the alien act.

The House divided: for the clause, 31; against it, 91.

List of the Minority.

Abercrombie, hon. J.
Barham, Jos.
Bennet, hon. H. G.
Brand, hon. Thos.
Brougham, Henry
Browne, D.
Calcraft, John
Chaloner, Robert
Curwen, J. C.
Duncannon, visc.
Grant, J. P.
Grenfell, Pascoe
Horner, Francis
Hughes, W. L.
Hurst, Robt.
Jones, John
Law, hon. Ed.
Lemon, sir W.
Matthew, hon. gen.
Molyneux, H. H.
Morpeth, visc.
Newport, sir John
North, Dudley
Ossulston, lord
Preston, R.
Parnell, sir H.
Romilly, sir Sam.
Tierney, rt hon. G.
Ward, hon. T. W.
Wynn, sir W. W.
Wynn, C. W.

TELLERS.

Milton, visc.
Lyttelton, hon. W.

Mr. *J. P. Grant* said, that he had an amendment to propose. His object was, to prevent the minister in whose hands this extraordinary power was to be vested from sending back any unfortunate foreigner who had fled from persecution into the jaws of the danger he had escaped. He was well aware that this would be opposed. His amendment in substance was, that whenever a foreigner was to be sent out of the country under this act, he should be allowed to elect the port or place to which he was to be conveyed, provided the means of transport were to be found in any part of Great Britain or Ireland.

Lord *Castlereagh* thought the amendment quite unnecessary, as it was impossible ministers could have any rational motive for abusing the trust committed to them, and as they always acted on their constitutional responsibility.

Mr. *Lyttelton* conceived the House ought to be ashamed of rejecting every thing which was proposed with a view of mitigating the despotic powers conferred by the bill. He was himself acquainted with one case of great hardship, that of a M. Béfort, who, having come from France with a passport signed by the noble lord last year, had been immediately ordered to return, although his whole fortune, which was not inconsiderable, was in this country. This individual could not be supposed a great friend to Buonaparté; for he had lost three sons by the conscription, and had a daughter married to an Englishman resident here. This was an additional proof why such a power should exist no where, but least of all in a free country.

Mr. *Bennet* begged to ask Mr. Addington whether, as this was a transaction immediately belonging to his office, it was not his intention to communicate some explanation of it to the House.

Sir *S. Romilly* confirmed the statement made by the hon. member who spoke last but one.

Mr. *Addington* protested against the practice of throwing out random assertions, and requiring an immediate answer to them. He defied any hon. gentleman to prove that unnecessary rigour had been used in any case, or that the person whose name was last mentioned had been sent to France for the purpose of being exposed to danger.

Mr. *Abercrombie* said, the right hon. gentleman seemed even to deny the right of the House to call for explanation. It was in this manner an act was to be carried which affected the liberties and dearest interests of between 20 and 30,000 persons.

He believed the true reason of the right hon. gentleman not furnishing them with any information was, that he was not at all informed upon the subject. He looked upon the bill as introducing a new principle of legislating for the internal tranquillity of foreign states, and he could understand it in no other way than as emanating from a concert between the noble lord and foreign ministers. This then was one of the fruits of the noble lord's negociations, that we were to become the assistant police-officers of other governments.

Mr. *Addington* vindicated himself from the charge of ignorance. It was impossible for him to have an intuitive knowledge of what was passing in the office of his colleague.

Lord *Milton* thought that as, according to the right hon. gentleman, the cases were very few in which this power had been put in force, it might be possible, without intuitive knowledge, to have some information as to one of these few cases, and this a very recent one.

The amendment was negatived without a division.

Mr. *Ponsonby* then submitted a clause, enacting that there should be laid before parliament, at the commencement of every session, an account of the number and a description of the persons sent out of the country under this act during the preceding year.

Lord *Castlereagh* saw no reason for adopting this clause. It was always competent to any member to move for the production of papers when necessary, without making it a matter of course, or unnecessarily proclaiming to the world every act of administration.

The clause was negatived.

Sir *S. Romilly* moved, that the continuance of the act be limited to one year instead of two.

Mr. *Horner* trusted that the supporters of the measure would see the propriety of acquiescing in this amendment, as he could not suppose they acted from a blind confidence in the ministers of the Crown. He had patiently waited, but in vain, for some explanation from the noble lord of a law which was a reproach and a stain on the character of the country. Nothing, however, was advanced beyond this—that from mere confidence in the noble lord, such as they knew him to be, they were to depart from the ancient law and policy of the country, and withdraw from strangers that hospitable and generous reception which it had been the pride of our ancestors to afford them. The bill was a disgrace to the character of the country, and the manner of passing it a disgrace to the character of that House.

Lord *Castlereagh* said, it would be equally open to parliament to consider the question next session, whether the act was to continue in force for one or for two years. He was not aware that ministers had been backward in assigning the reasons which induced them to submit the measure to parliament.

Sir *James Mackintosh* observed, that there was a material difference between renewing and repealing a bill. In the former case the burthen of proof lay upon ministers. There was no act of his life upon which he more sincerely congratulated himself than on his opposition to this monstrous and tyrannical measure—a measure the agents in which could only be protected by eternal secrecy, and the effect of which was to introduce *lettres de cachet* instead of writs of habeas corpus, and to establish the inquisition instead of the trial by jury.

Mr. *Ponsonby* could not conceive why the bill should continue exactly for two years, as, by the conventions, the occupation of the French fortresses was to continue for at least three years.

Lord *Castlereagh* said, the bill would expire in July 1818, and the convention might cease with respect to the French fortresses in the November following; so that if it should appear necessary to extend the duration of the bill to the same period, under the circumstances which might then exist, parliament would have the opportunity of renewing their precautionary policy.

Mr. *Brougham* submitted that the noble lord had now betrayed his real wish to perpetuate the measure. The whole of his arguments were founded on considerations of foreign policy. He urged parliament to give the government the power of dealing arbitrarily and tyrannically with persons not plotting against our government, but supposed to be engaged in some plots against their own. He conjured the House to pause before they gave their final sanction to a bill, the object of which was neither more nor less than to enable foreign princes to exercise an arbitrary power over their subjects resident in this realm. He could have wished that persons conversant with the operation of the former alien act could have been examined as to its effects. He could at least have wished that the memorials of a gentleman lately in the alien office, and whom, though he differed with him in politics, he respected for his fairness, and manliness—he meant Mr. John Reeves—were before the House: the opinions and experience of that gentleman, he understood, were distinctly against the bill.

Mr. *Swan* spoke in support of the bill being made annual.

The House then divided on the amendment, Yeas, 29; Noes, 79.

On the motion for passing the bill,

Mr. *J. W. Ward* professed himself not unfriendly to such powers being vested in the crown on extraordinary occasions, but from what had passed it was impossible not to suppose that some gentlemen were for permanently engrafting them on the body of the constitution. Every thing that placed an individual under the uncontrolled, irresponsible power of government was in itself an evil, unjustifiable on any principle except that of saving us from still greater evils. To say that in the 19th century you should put an end to privileges enjoyed even in the 14th, appeared most ridiculous. No such measure had been thought of in the reign of queen Elizabeth, nor when a numerous party in favour of the pretender existed in the very heart of the country. In all the debates which took place on the alien bill in 1793, the measure was solely rested on the crimes and dangers of that eventful period. But what analogy was there between that period and the present? He was anxious that the constitution should resume its ancient course. He was sorry an opportunity should be given of saying, that though England, relying upon her strength, once dared to be generous, yet that she dared to be so no longer.

Mr. *Lockhart* reviewed the progress of Jacobinical sentiments from the year 1793. He alluded to the opinion of sir J. Mackintosh in 1801, when defending Peltier, that those principles would never be renounced by those who had once imbibed them. He defended the bill, from a conviction of its necessity, and that ministers would never abuse the powers vested in them to provide for the public security. These were extraordinary times, and he felt that extraordinary measures were still necessary.

The bill was then passed.

Sir *J. Newport* asked if the noble lord and the hon. gentlemen opposite were aware that the provisions of the bill did not extend to Ireland? [No answer was given].

Mr. *Brougham* was sorry that his right hon. friend had risen to give the gentlemen opposite any information on the subject. The fact was, they knew very little about the bill. They would now, however, he supposed, take especial care that a new bill should be brought in to remedy the defect his right hon. friend had noticed.

State of the Public Finances.] The order of the day being read,

Mr. *J. P. Grant* rose and addressed the House as follows:

Sir;—In rising to submit to the House the resolutions of which I formerly gave notice, relative to the State of the Finances; I cannot but feel that I may be liable to some imputation of presumption in undertaking to discuss a subject of such importance and extent. I sincerely regret that it has not fallen into abler hands. But, with the views I entertain of it, I should have thought myself deficient in an indispensable duty, if I had neglected to call to it the attention of the House and of the country. All that I can promise the House is, that I will discuss it with as much brevity as is consistent with clearness in the detail which it is necessary for me to submit to you.

That the country is in a state of unparralleled financial difficulty is admitted on all hands. The right hon. the chancellor of the exchequer himself admits that the expenditure of the year must greatly exceed the revenue; and this, Sir, will be the case, not only in the present year, but in future years, unless some means be fallen on either most materially to relieve the expenditure or to raise the revenue. If my motion shall produce no other effect than to convince the House and the country of the imperative necessity of adopting a scale of economy adequate to the exigencies of our situation, I shall think that a great object has been obtained. But it is not partial and trifling savings that will do, however necessary every degree and sort of economy undoubtedly is. It will be seen that nothing can save us from the utmost financial difficulty and distress, but a large and comprehensive system of retrenchment. How far any degree of economy will do, it will be for the House to determine. But that we cannot go on at the present rate of expenditure, is most undoubted.

Sir, I desire not to be understood as desponding of the state of the country. Despondency is no part of the feeling with which I view its situation. A great country like this, if its affairs are conducted with prudence and wisdom, can always command sufficient resources to meet any exigency: it has only to look its difficulties fairly in the face, and to ascertain their nature and extent in order to meet them. But I think there is no man who can doubt that the financial difficulties of this country at the present moment are of the most serious nature, requiring the utmost prudence and the most vigorous counsels. The ministers have latterly begun to talk much of economy—I shall think it a great matter if the motion I am to have the honour of submitting to you, shall draw from them a declaration of some specific plan of retrenchment—shall induce them to depart from the general expressions in which they have hitherto indulged—shall bring them to state distinctly to the House what their view is of the savings they can introduce—and shall obtain for us a distinct and precise pledge upon this subject.

I have all along, Sir, felt the greatest surprise, that under the present circumstances, ministers themselves have not had recourse to the wisdom of parliament for advice—that they have not called on the House to exercise its own wisdom in this critical emergency—that they have not at once determined to submit the general state of the finances to a committee of this House, instead of contenting themselves with resorting to temporary expedients to meet the immediate pressure. All, Sir, that in these circumstances can be done by an individual like myself is, to state to the House the view I entertain of this matter—to lay before it, as accurately as I can, the actual state of our finances at the present moment, and the prospect that is afforded for the future—thus endeavouring to discharge what I conceive a most important duty, and leaving it to the House to adopt such measures as in its wisdom it shall think fit.

My resolutions have only the humble object in view of stating what I apprehend to be the facts of the case, on the measures which it may be necessary to take in consequence of the situation of things. I do not mean to submit an opinion—this I shall leave to the House—but certain I am that no more important subject ever occupied its attention. I am aware, Sir, that any thing like perfect accuracy cannot be expected from me. I have taken all the pains in my power to be as accurate as possible, and I should feel justly ashamed, if I were to submit a statement to the House without having done so. But gentlemen will be aware, that any person not possessing the facilities of official information, must find it difficult to arrive at perfect correctness in a matter of this nature. To be detected in a slight inaccuracy will give me no sort of pain; and, on the other hand, if it can be shown that I am materially wrong in my calculation, I shall feel the greatest satisfaction; for every person has an interest in finding that the situation of the country is not in truth so alarming as I conceive it to be, which must greatly outweigh any mortification of the little personal vanity attached to the accuracy of a statement such as this. I have endeavoured to render my statement as concise as possible; and for this purpose, and for the sake of greater clearness, I have not taken the total produce of the taxes, nor the total expenditure. All I have done is, to state from the votes of the House, and the estimates laid upon the table, the expenditure of the year, exclusive of the charges upon the consolidated fund;—and on the other hand, I have taken the revenue of the year, exclusive of the income of the consolidated fund. For the same reasons I have not taken Ireland separately, but have included her income and expenditure in the general statement for the united empire, as if the treasuries were already consolidated. With these observations I shall proceed to detail the statements of fact, included in the resolutions which I am about to propose.

The first resolution states that there has been voted for the service of the navy, during the present year, the sum of 10,114,345, 11*s.* 7*d.* The next five resolutions state, that, exclusive of the army in France and the East Indies, the sums voted for the army, including the commissariat and barrack department, amount to 10,587,972*l.* 19*s.* 6*d.* The seventh resolution states the sums voted for the ordnance exclusive of the corps in France, amounting to 1,696,185*l.* 3*s.* 2*d.* The eighth resolution states that the miscellaneous services are estimated at 2,000,000*l.* The three next resolutions state, that there have been voted for the interest and sinking fund on exchequer bills outstanding 2,260,000*l.*—For discharging certain annuities 174,681*l.* 2*s.* 6*d.*—For paying off debentures 807,085*l.* The twelfth resolution states that there is payable upon exchequer bills outstanding 1,500,000*l.* The thirteenth, that there must be provided towards the debt due to the East India company 145,491*l.* 13*s.* 4*d.* and the fourteenth resolution states the total amount of the aforesaid sums being 30,085,761*l.* 10*s.* 1*d.*, being the amount so far as the same can be at present ascertained of the expenditure to be defrayed by Great Britain within the present year, exclusive of the charges upon the consolidated fund, but including the proportion payable by Ireland.

With regard to Ireland, it appears that so far from being able to pay her proportion of the expenditure of the united kingdoms, the sums actually applied to defray the charge on account of the national debt in the year ending the 5th January last amounted in Irish currency to 6,369,170*l.* 5*s.* 9*d.*, whilst the nett revenue paid into the exchequer during the same year was only 5,752,861*l.* 5*s.* 11*d.* leaving a deficiency of the revenue to defray the charges of the national debt amounting to 616,308*l.* 19*s*, 10*d.* in Irish currency. I am aware that the total charge on the national debt of Ireland, as it stood on the 5th of January 1816, exceeds the sum which was actually applied during the year to defray that charge because there were additional loans contracted in the course of the year, the charge on which, though constituting part of the charge on the debt as it existed at the close of the year, did not fall to be defrayed till the course of the present year. But, on the other hand, additional taxes were laid on during the past year of which the whole effect would not be felt before the close of the year; and being desirous as much as possible to avoid exaggeration, I have thought it better to leave out both sides of this account, and to assume the actual deficiency of last year as the criterion of that which we are to expect during the present.

As Ireland is thus incapable of defraying even the charges on her national debt, it is evident that she can contribute nothing either to the expense of her civil list and other permanent charges, or to the proportion payable under the treaty of union towards the joint expenditure of the united kingdom; but that, on the contrary, these charges and expenses must be provided for, otherwise than out of the revenue of that country. The expense of the civil list and other permanent charges in Ireland, appears to have amounted in the last year to 500,915*l.* 7*s.* 2*d.* Irish currency; which added to the above deficiency for defraying the charge on the national debt, amounts to 1,117,224*l.* 7*s.* Irish currency, being 1,031,284*l.* 0*s.* 4*d.* British, to be in future otherwise provided for than out of the revenue of Ireland. These facts are stated in the 15th, 16th, and 17th resolutions. In the 18th resolution, it is stated, that the balance due by Ireland to Great Britain on the 5th of January last, arising from the payments made by each country respectively on account of the joint charges of the united kingdom, amounted in British currency to 2,942,280*l.* 8*s.* 11*d.*; and that on the same day there remained in the Exchequer of Ireland an unappropriated balance, amounting in British currency to 1,336,695*l.* 6*s.* 5*d.* I suppose this last sum to be a fund applicable to the payment of the former sum; and it is obvious that the result is the same as if they were carried respectively to their proper sides of the general account. I have thought the mode I have adopted the clearest and more simple; I have therefore deducted the latter sum from the former, which shows a balance, being a farther sum to be provided on account of Ireland for the present year, amounting to 1,605,585*l.* 2*s.* 6*d.* In the 19th resolution, the whole of the above sums are added together, and the resolution states, that supposing the deficiency of the revenue of Ireland in the present year to be the same as in the last, they will form the whole expense of the united kingdom during the present year, so far as the same can be at present ascertained, exclusive of the charges on the consolidated fund of Great Britain, and of the charges supposed to be provided for by the revenue of Ireland, amounting in all to the sum of 32,722,630*l.* 12*s.* 11*d.* This, then, is the expenditure to be provided for in the present year.

I come now, Sir, to state the Ways and Means for defraying this expenditure by monies received or receivable within the year: and here I am content to take the statement of the right hon. gentleman. In the 20th resolution these ways and means are stated to have been calculated as follows:

From the Surplus of Grants for the year 1815	£.5,663,755
From the Surplus of the Consolidated Fund	3,000,000
From the Annual Taxes	3,000,000

From the War Duties of Customs and Excise	3,500,000
From Lottery	300,000
From Unclaimed Dividends....	301,316
From Monies unapplied in the Exchequer	140,000
From old Naval Stores.........	679,905
Amounting in all to	£.16,584,976

The 21st resolution states the deficiency of these ways and means to meet the expenditure, amounting to 16,137,654*l.* 12*s.* 11*d.*

Since I first announced these resolutions to the House, his royal highness's ministers have declared their intention of issuing a new coinage, the expense attending which measure they have stated as likely to amount to 500,000*l.*; it also appears that there is a surplus unappropriated remaining of a loan made in England for the service of Ireland, during the last year, amounting to 2,622,000*l.* and that there is due in Ireland on account of treasury bills, &c. a sum of 101,653*l.*, leaving a sum to be added to the ways and means of the present year, for the service of the united kingdom, amounting to 2,520,347*l.*, from which sum, if the above sum of 500,000*l.* the expense of the coinage, be taken, there will remain a sum of ways and means for the present year amounting to 2,020,347*l.* which must be deducted from the deficiency before stated of 16,137,654*l.* 12*s.* 11*d.*; and the balance will show the deficiency to be actually provided for during the present year by loans which have been, or must be made, amounting to 14,117,307*l.* 12*s.* 11*d.*; these circumstances are stated in the 22d and four following resolutions. It will be in the recollection of the House that the sums proposed the other evening by the right hon. gentleman opposite, the chancellors of the English and Irish exchequers, to be raised for the service of the two kingdoms by means of advances from the bank, and the issue of government paper, amount to much about this sum, which is sufficient to show that in its general result at least the statement I have made is not very far from accurate.

The last object, Sir, of the resolutions I propose is, by separating from the expenditure of the present year, such charges as do not properly belong to the services of the year, and are not likely to recur in future years; and by separating in like manner from the ways and means such sums as do not properly proceed from the revenue of the year, and are not likely to recur in future years, to ascertain what is the actual expense of the services of this year compared with the actual revenue of the year. In the 27th resolution, therefore, I have stated the amount of the sums due for the ordnance service of 1814 and 1815 for payment of the debentures under the 43d of the king;—the debts to the East India company and to the bank of England, and the balance due by Ireland on account of payments made in former years, making together 4,961,603*l.* 11*s.* 3*d.* In the 28th resolution I have stated the reductions proposed by estimate to be made from the charge of the staff of the army, which in the present year it appears amounts to 40,287*l.* 12*s.*, but in future years will amount to 81,597*l.* 6*s.* 5*d.* making in future years a further saving in the expense of the army of 41,309*l.* 14*s*, 5*d.* In the 29th resolution I have stated the reduction from the estimate of the ordnance, amounting in the present year to 137,307*l.* 5*s.*, but in future years to 175,959*l.* 10*s.*, making in future years a further saving of 42,652*l.* 5*s.* In the 30th resolution it appears that if these several sums amounting in all to 5,045,565*l.* 10*s.* 8*d.* be taken from the above sum of 32,722,630*l.* 12*s.* 11*d.*, the total expenditure of the present year, there will remain a sum of 27,677,065*l.* 2*s.* 3*d.*, being what may properly be considered the expenditure of the year 1816, and as the future annual expenditure of the country, excepting so far as the establishments shall be reduced, and with the exception of savings from the falling in of half pay and other incidental expenses. In like manner in the 31st resolution, I have deducted from the total of the ways and means of the present year, the sums arising from the surplus of grants of the last year, from unclaimed dividends, monies unapplied in the exchequer, and naval stores, making in all 6,784,976*l.*, which cannot be properly considered as proceeding from the receipts of the present year, and leaving what may properly be considered as the ways and means so proceeding, and as ways and means likely to continue in any future year, if the taxes do not become less productive, amounting to 9,800,000*l.*

In the last resolution I have deducted this sum from the above sum of 27,677,065*l.* 2*s* 3*d.*, showing a remainder of 17,877,065*l.* 2*s.* 3*d.*, which forms the deficiency in the revenue to meet the permanent expenditure of the country likely to recur in future years, so long as the present establishments are kept up, with the exception of savings from the falling-in of pensions, half-pay, and other incidental expenses, but exclusive of the future charge on the sum to be now raised to make good the deficiency of the present year; this, therefore, is the sum which the country has to make good by one or both of two means, the curtailing its expenditure, or the augmenting its revenue.

In order to meet an expenditure of 27,677,000*l.* we have a revenue of 9,800,000*l.*, leaving an actual deficiency very little short of 18,000,000*l.* per annum. I do not think that any gentleman who hears me, can view this state of affairs without alarm: I may have unavoidably fallen into some trifling errors, but I shall be much surprised if any material difference can be shown between this statement and the truth, and I again call on the right hon. gentleman opposite to point out, from the accuracy of his official information, any mistake which I have made; if he cannot, certainly no more important subject can occupy the attention of this House, and it has appeared to me that it was the imperative duty of any member, who, from having bestowed his attention on the subject, had come to this conclusion, to state it in his place to the House and to the country. What may be the course it is fit to pursue in order to apply a remedy to this most alarming state of things, although perhaps I may have formed an opinion, it does not become me to decide; I have not sufficient information to do so with confidence, nor sufficient authority to do it with success; this information and authority rest with the ministers alone. The present situation of affairs cannot be new to them: for years past they must have had something like this result in their contemplation. When they entered on the war last year, I then took the liberty of suggesting that the state of the finances was such as to render it in that view alone an undertaking of very doubtful propriety. From the moment they entered on the war, ministers must have had this result distinctly before them. The result has even been more favourable than they could have possibly expected; they could not have calculated on the war being brought to so speedy a termination, or on the expense of the maintenance of the army being thrown almost at the commencement of the campaign on a foreign country; the contest was decided by a victory that hung on the turn of a balance more nicely poised than ever before trembled with so vast a result. The consequence in point of expenditure was accordingly felt, and savings arose, as this House has already heard from the right hon. gentleman, which are left now in their hands disposable, of five millions and a half in England, and two millions and a half in Ireland, on which they never could have calculated. The right hon. gentleman cannot have gone to bed a single night without having had this result present to his thoughts. I call upon him now to declare to the House what steps he proposes to take in this so long foreseen emergency. From the noble lord in the blue ribbon I do not expect much assistance. He is too much occupied in governing France to have leisure to bestow on the affairs of England; but the right hon. gentleman must have some plan to communicate. It is impossible that in a state of things such as I have described, with his accurate knowledge of the detail, but he must be prepared to state his opinion to the House of the means by which the dangers of so alarming a situation may be averted.

The right hon. gentleman has made it a matter of boast, that a sum of I think 3,000,000*l.* of debt has been paid off during the year. But, in the first place, the right hon. gentleman has omitted to state that in his calculation the sinking fund was taken, and it is no great matter of exultation to state that, by means of the sinking fund, the debt has been diminished 3,000,000*l.*; and in the next place the right hon. gentleman omitted to state that this effect was only produced in consequence of having 5,000,000*l.* of a disposable surplus from the grants of last year, owing to the unlooked for termination of the war, and the circumstances which attended it. But the right hon. gentleman and his majesty's ministers well knew when they proposed the present establishments, that those establishments in this year of peace would exceed by 5 or 6,000,000*l.* the whole revenue of the country, not of the present year, but of the last year when government possessed the whole of the income tax and the whole of the war revenue. They knew—they could not but know—that they were proposing establishments to be kept up in peace exceeding by many millions the highest revenue ever drawn in a period of war. The expenditure properly of this year is about 29,000,000*l.*, the charge on the consolidated fund, as on the 5th of January last is 43,390,000*l.*; the proper expenditure therefore of the country this year is about 72,390,000*l.*, while the whole of the revenue, including the income tax was on the 5th of April last only about 66,000,000*l.*; so that the charges on the consolidated fund, and the expense of the establishments for the present year, exceed the whole revenue of last year by above 6,000,000*l.* And then the right hon. gentleman talks of congratulating the country on paying off 3,000,000*l.* of debt, and his majesty's ministers take credit for their disposition to economy. But when did ministers first talk of making reductions? Not till parliament refused the income tax. The House ought always to remember that in difficulties ministers uniformly ask for money; but, paradoxical as it may seem, the best way in such cases to make the two ends meet is to refuse to give money; recourse must then be had of necessity to economy, the best of all revenues; while money can be had there will never be any thought of savings in expenditure.

And, after all, what savings have been produced? It is matter rather of curiosity than of importance to state their amount. They consist of a small sum in the staff of the army, and a small sum in the ordnance department: out of such an expenditure as I have stated, ministers propose to save 177,000*l.* This is the reduction they have made on the expenditure of our army, navy, and ordnance, being 23,000,000*l.* If compared with the whole expenditure it is trifling indeed; but if compared with the amount of the particular branches on which the reductions have been made, they acquire more importance. The whole staff of the army was originally estimated at 315,000*l.*, and the saving on this head is 81,000*l.* The ordnance extraordinaries amounted originally to 432,000*l.* the saving on this sum is no less than 126,000*l.* The House will see from this, that though it is not in the contemplation of ministers to make such savings as will be effectual, yet, when they choose and are compelled to make savings, they may be considerable. I believe that very important savings may be made, but it will only be done by the compulsatory power of this House—for, according to the statement of ministers, no savings they can make would bear any proportion to the exigency. The noble secretary at war stated on a former occasion that the reduction of 20,000 men would not save above 400,000, or 500,000*l.* The noble lord in the blue ribbon admitted, that taking extraordinaries and all into view, it might save a million; but if a reduction of 20,000 men will produce only a saving of a million, how can we possibly meet the difficulties I have described? The ministers have held out, that all these estimates are framed on the lowest possible scale. No reduction can be made from the force in the colonies and if not now, when can it? Will our colonies in any part of the world ever be in a state of greater security than they are at present? We have heard it stated that fewer than 28,000 men cannot maintain tranquillity in Ireland. They have been called 25,000, but in the number the gentlemen forgot to include the officers. Is it supposed that the number can hereafter be reduced in Ireland? From our mode of governing Ireland and the success which has attended it, we ought rather to look to the necessity of an increase. Formerly, when 12,000 men were asked for Ireland and when that number was objected to as too great, it was said that the gentry in Ireland did not consider themselves safe without at least 12,000 men: now, however, it would seem that fewer than 28,000 will not do. This is the usual progress where force is resorted to in the government of countries. If you look to other countries you will see how soon a government learns the habit of not being able to govern with few soldiers, and how soon the people learn the habit of not obeying without money. Then the number of men in this kingdom cannot be lessened while you have so large a force elsewhere, which the army in England will supply, and to which it must bear a certain proportion. I see, therefore, no hope of reductions of establishment held out in the language or views of the ministers.

But what sort of a reduction must it be from an establishment stated to be the very lowest possible which can meet the emergencies of our case, if only a million can be saved by the reduction of 20,000 men? I do not, Sir, conclude from this, that great savings cannot be made, but I do conclude that the views of ministers are not such as to admit of great savings being made and I conclude farther, that they are either wholly ignorant of our situation, or wholly incapable of meeting its difficulties. Let them give up their own views—let them abandon their own opinions and adopt the moderate and prudent views and opinions which have been inculcated on them from this side of the House—and much may be done. But I should be glad to hear from them what specific reductions they propose hereafter to make. I desire from them a distinct statement of the views they entertain in this respect—and I demand of them what precise pledge they will give for the large savings they have promised by which to meet this exigency.

I have now, Sir, done with the expenditure, and come to the consideration of the revenue; and I will ask the right hon. gentleman if he really believe there is a rational ground of expectation of such an increase of the revenue as will cover the deficiency I have stated, by the produce of any taxes which he can impose, or which can be wrung from the people of this country. The revenue is indeed sinking and falling. If gentlemen look to the papers on the table, they will find an increase stated, compared with last year of 485,665*l.* —no great increase in a revenue of 66,000,000*l.* But comparing the excise and customs of the three last quarters with the returns of the three corresponding quarters in the year preceding, there is a considerable diminution. On the whole, the customs have fallen off 700,000*l.*; and though the excise has increased on the excise and customs taken together, there is a falling off of about 300,000*l.* while the increase of the whole revenue of 485,665*l.* is more than accounted for by the rise in the item of stamps on which large additional duties were imposed last year, The prospect is cheerless, and I see no hope of its brightening: it is a subject above all others painful to dwell on, but I would ask the right hon. gentleman whether the petitions which have been presented to this House from all parts of the country afford the prospect of an increasing revenue, or even of a revenue likely to continue at its present height? I wish, therefore, to know what plan under these circumstances, the chancellor of the exchequer has to submit for the future conduct of the finances. The loan from the bank is but a temporary expedient, and this resource must fail. Much as that wealthy corporation has been able to heap together at the expense of the public, it cannot every year afford a similar advance. What, then, is the future plan of the right hon. gentleman? What does he propose to do in future years? He congratulates himself upon having got surprisingly well through the present; but what does he contemplate hereafter? At present, while he would have us believe in the probable resumption of cash payments by the bank, he builds his whole finance on a system of advances by the bank which must make such resumption impossible, Does he look to increased issues of paper by the bank and a recurrence of the depreciation of the currency to lessen the pressure of the payments by government, and to render that of the taxes more easy? If he have any plan, it must be this—and nothing can be more mischievous. But I sincerely believe that the right hon. gentleman has no plan at all, that he is only going on from day to day as occurrences turn up, trusting to his stars for extractation. It is for the House and the country to consider how far this sort of proceeding is consistent with its safety. If I can obtain from the right hon. gentleman a pledge that he has in his head a scheme by which to extricate us from our present difficulties, or a distinct declaration of the course ministers propose to pursue, I shall feel at least better satisfied than at present. It only remains for me now, Sir, to apolologize for the time which I have occupied, and to put into your hand the first resolution which I am to have the honour to move.

The hon. and learned gentleman then moved the first of the following thirty-two Resolutions:—

1. "That there has been voted for the service of the navy, during the present year, the sum of 10,114,345*l.* 11*s.* 7*d.*

2. "That exclusive of the expense of the army serving in France, to be defrayed out of the contributions stipulated in the treaty of peace, and of the regiments in the East Indies, which are to be maintained by the East India company, there has been voted, for the service of the army, during the present year, the sum of 8,504,106*l.* 9*s.* 8*d.*

3. "That exclusive of the expense of the commissariat in Ireland, which forms part of the above sum of 8,504,106*l.* 9*s.* 8*d.* voted for the army, and of the commissariat in France, to be defrayed out of the contributions stipulated in the treaty of peace, an estimate has been presented of the expense of the commissariat during

the present year, amounting to the sum of 405,240*l.* 9*s.* 10*d.*

4. "That, exclusive of the expense of the barrack department in Ireland, which forms a part of the above sum of 8,504,106*l.* 9*s.* 8*d.*, voted for the army, an estimate has been presented of the expense of the barrack department during the present year, which amounts to the sum of 178,626*l.*

5. "That the extraordinary expenses of the army, for the present year, may be estimated at 1,500,000*l.*

6. "That the said several sums of 8,504,106*l.* 9*s.* 8*d.*;—405,240*l.* 9*s.* 10*d.*; 178,626*l.*,—and 1,500,000*l*, forming the total expense of the army for the present year, amount to 10,587,972*l.* 19*s.* 6*d.*

7. "That, including the sum of 67,205*l.* 9*s.* 10*d.*, for the service of Great Britain in 1814; and of 16,851*l.* 13*s.* 4*d.* for the service of Great Britain in 1815; and of 19,384*l.* 12*s.* 3*d.*, for services in Ireland in 1815, but exclusive of the ordnance military corps in France; there has been voted for the charge of the office of ordnance, during the present year, the sum of 1,696,185*l.* 3*s.* 2*d.*

8. "That the miscellaneous services of the present year, may be estimated at the sum of 2,000,000*l.*

9. "That there has been voted for the interest and sinking fund on exchequer bills outstanding, during the present year, the sum of 2,260,000*l.*

10. "That there has been voted for discharging certain annuities, granted by two acts of the 37th and 42nd years of his present majesty, the sum of 174,681*l.* 2*s.* 6*d.*

11. "That there has been voted for paying off debentures issued in pursuance of two acts of the 53d year of his present majesty, and the interest due thereon, the sum of 807,085*l.*

12. "That there is payable to the bank of England, upon exchequer bills outstanding, and falling due during the present year, the sum of 1,500,000*l.*

13. "That there must be provided, during the present year, to discharge the debt due to the East India company, the sum of 945,491*l.* 13*s.* 4*d.*

14. "That the said several sums, forming, so far as the same can at present be ascertained, the expenditure to be defrayed by Great Britain, exclusive of the charges on the consolidated fund, but including the proportion of the said expenditure payable under the treaty of union by Ireland, amount to the sum of 30,085,761*l.* 10*s.* 1*d.*

15. "That in the year ending 5th January 1816, the sums actually applied to defray the charge on account of the national debt of Ireland, including interest on exchequer bills, amounted to 6,369,170*l.* 5*s.* 9*d.*; whilst the nett revenue paid into the exchequer of Ireland during the same year was only 5,752,861*l.* 5*s.* 11*d.*; leaving a deficiency of the revenue to defray the charges of the national debt, amounting to 616,308*l.* 19*s.* 10*d.* in Irish currency.

16. "That, as the revenue of Ireland appears to be thus incapable of defraying even the charges on account of its national debt; a further sum must be provided to defray the expense of the civil list and other permanent charges, which, in the year ending 5th January 1816, amounted to 500,915*l.* 7*s.* 2*d.*, Irish currency.

17. "That, under these circumstances, no part of the proportion payable under the treaty of union by Ireland, towards the joint expenditure of the united kingdom, can be calculated as receivable from the revenues of Ireland; but that, on the contrary, the deficiency of the said revenues to defray the charges on the national debt, and the expense of the civil list, and other permanent charges of that country, must be in future otherwise provided for; which deficiency amounted, in the year ending 5th January 1816, to 1,117,224*l.* 7*s.*, Irish currency, or 1,031,284*l.* 0*s.* 4*d.* British.

18. "That on the 5th of January last, the sum due by Ireland to Great Britain, as the balance arising from the payments made by each country respectively, on account of the joint charges of the United Kingdom, amounted, in British currency, to the sum of 2,942,280*l.* 8*s.* 11*d.*; and that on the same day there remained in the exchequer of Ireland an unappropriated balance, amounting in Irish currency to the sum of 1,448,086*l.* 11*s.* 11*d.*; making in British currency 1,336,695*l.* 6*s.* 5*d.*; which last sum being deducted from the said sum of 2,942,280*l.* 8*s.* 11*d.*, there remains a further sum to be provided on account of Ireland, in the present year, amounting in British currency to 1,605,585*l.* 2*s.* 6*d.*

19. "That, supposing the deficiency of the revenue of Ireland in the present year to be the same as in the last, the said sum of 1,031,284*l.* 0*s.* 4*d.*, together with the said sum of 1,605,585*l.* 2*s.* 6*d.* and the said sum of 30,085,761*l.* 10*s.* 1*d.* will

form the whole expense of the united kingdom during the present year, so far as the same can be at present ascertained, exclusive of the charges on the consolidated fund of Great Britain, and of the charges supposed to be provided for by the revenue of Ireland, amounting, in all, to the sum of 32,722,630*l.* 12*s.* 11*d.*

20. "That the ways and means for defraying the above expenditure, by monies received or receivable within the year, have been calculated as follows:

	£.
From the surplus of grants for the year 1815	5,663,755
From the surplus of the consolidated fund	3,000,000
From the annual taxes.........	3,000,000
From the war duties of customs and excise...........	3,500,000
From a lottery	300,000
From unclaimed dividends...	301,316
From monies unapplied in the Exchequer	140,000
From old naval stores	679,905
Amounting in all, to...	£.16,584,976

21. "That if the said sum of 16,584,976*l.*, being the total amount of ways and means as aforesaid, is taken from the sum of 32,722,630*l.* 12*s.* 11*d.*, the total expenditure, there remains to be provided for, the sum of 16,137,654*l.* 12*s.* 11*d.*

22. "That a further sum has been stated as necessary for the supply of the year, on account of the expense of a new coinage, amounting to 500,000*l.*

23. "That there is stated to be due in Ireland on account of treasury bills, &c. 101,653*l.*; and that there is stated to be a sum remaining on the loan made in England for the service of Ireland during the last year, unappropriated, to the amount of 2,622,000*l.*

24. "That there thus remains a further snm to be added to the ways and means of the present year, amounting to 2,520,347*l.*

25. "That if the said sum of 500,000*l.* to defray the expense of coinage, be deducted from the said last-mentioned sum of additional ways and means, amounting to 2,520,347*l.* there will remain a further sum of ways and means, for the present year, amounting to 2,020,347*l.*

26. "That if the said sum of 2,020,347*l.* be deducted from the sum of 16,137,654*l.* 12*s.* 11*d.* being the sum above mentioned as the deficiency to be provided for, there will remain the sum to be provided for, by loans which have been or must be made, amounting to 14,117,307*l.* 12*s.* 11*d.*

27. "That of the expenditure of the present year, as above stated, the following charges are for services performed in former years, which cannot recur in any future year:

	£.	s.	d.
For ordnance service 1814	67,205	9	10
For...do...1815	16,851	13	4
For ... do ... in Ireland 1815	19,384	12	3
Payment of debentures under the act of the 43d of the king	807,085	0	0
Debt to the East India Company	945,491	13	4
Do. to the bank of England	1,500,000	0	0
Balance due by Ireland	1,605,585	2	6
Making in all	£.4,961,603	11	3

28. "That, by the estimate of reductions proposed to be made from the charge of the staff of the army, it appears that these reductions in the year 1816 amount to the sum of 40,287*l.* 12*s.* but that in future years the same will amount to 81,597*l.* 6*s.* 5*d.*; making in future years a further saving, in the expense of the army, of 41,309*l.* 14*s.* 5*d.*

29. "That by the estimate of reductions proposed to be made from the charge of the ordnance departmment, it appears that these reductions in the year 1816 amount to the sum of 137,307*l.* 5*s.* but that in future years the same will amount to 175,959*l.* 10*s.*; making in future years a further saving, in the expense of the ordnance, of 42,652*l.* 5*s.*

30. "That if these several sums of 4,961,603*l.* 11*s.* 3*d.*;—41,309*l.* 14*s.* 5*d.*, and 42,652*l.* 5*s.*; making together 5,045,565*l.* 10*s.* 8*d.* be taken from the sum of 32,722,630*l.* 12*s.* 11*d.* the remainder may be properly considered as the expenditure of the year 1816, and as the annual expenditure, if the establishments are not reduced, likely to be in future incurred (with the exception of savings from the falling-in of pensions, half-pay, and other incidental expenses) amounting to the sum of 27,677,065*l.* 2*s.* 3*d.*

31. "That of the ways and means for the present year, as above stated, the sum of 5,663,755*l.* arising from the surplus of grants of the year 1815, and also the several sums of 301,316*l.* of unclaimed divi-

dends, 140,000*l.* monies unapplied in the exchequer, 679,905*l.* from naval stores, making in all 6,784,976*l.*, cannot be properly considered as proceeding from the receipts of the present year, or as likely to recur in any future year; and that if this sum is taken from the sum of 16,584,976*l.* there will remain, what properly may be considered as the ways and means proceeding from the receipts of the present year, and as ways and means likely to continue in any future year, if the taxes do not become less productive, amounting to 9,800,000*l.*

32. "That if this sum of 9,800,000*l.*, the ways and means arising from the receipt of the revenue in the present year, is taken from the sum of 27,677,065*l.* 2*s.* 3*d.*, the expenditure properly belonging to the present year, the remainder will form the deficiency, which, if the establishments are kept up, is likely to occur in any future year, (with the exception of savings from the falling in of pensions, half-pay, and other incidental expenses, but exclusive of the future charge on the sum to be now raised to make good the deficiency of the present year) amounting to 17,877,065*l.* 2*s.* 3*d.*"

On the first Resolution being put,

Mr. *William Smith* rose to second the motion, and said, that though great accuracy of detail had been brought forward by the hon. and learned mover, yet this was not necessary on his view of the question. He did not attach any blame to his majesty's ministers: the difficulties in which they had been placed were an excuse for many errors; but he recollected that he had seconded the repeal of the income tax, not because he thought the money was not wanted, but because the measure itself was so unconstitutional that he thought it incumbent on parliament to redeem the pledge that had been given by the minister, and repeal the tax. It might be said, that his hon. and learned friend had erred in some trifling particulars; but with that he had nothing to do—those sums were so small that they made no impression on the total deficit. Making all allowances for any errors or overstatements in the resolutions of his hon. and learned friend, the gloomy conclusion could not be got rid of, that in the next year there would be a great deficiency in the finances. Whether the deficiency was eighteen or ten millions, it was still appalling, and he was convinced that it could only be provided for by the remedy which he had formerly hinted at. He wished his persuasion of that necessity might have proceeded from ignorance or despair, but he confessed that he did not contemplate the remedy he had alluded to, with that dismay with which others beheld it. If difficulties were looked in the face, it could not be disguised that sooner or later some reduction must be made in the dividends; and though some gentlemen had looked to such a measure with the most fearful and gloomy apprehensions of the consequences, he did not think that the effect would be so dangerous as was imagined.

The *Chancellor of the Exchequer* admitted that the hon. and learned gentleman who moved the resolutions had done himself credit by the clearness of his statement, and the abilities he had displayed; but it was impossible that he could concur in his resolutions, which only added one to the string of gloomy prognostications which had regularly been submitted to parliament at the close of the session, and which had never been acceded to by the House. The country, from year to year, had surmounted its difficulties, in spite of these formidable anticipations of calamity, and had finally triumphed in its great contest; and he trusted that experience would show, that the hon. and learned gentleman's predictions were at least as groundless as those of any of his predecessors. The chancellor of the exchequer said, he did not mean to deny that the present difficulties of the country were great, but he contended that, compared with those of former years, they were not very alarming. We had long contended for existence—now the only question was, whether we could dispense with burthens which the country had before borne, and under which it had appeared to prosper; but from which it had very recently been relieved. He trusted that it would not be necessary for parliament to recur to the imposition of those burthens; but at any rate that the country would not be reduced to the extraordinary remedy hinted at by the hon. seconder. This remedy, which the hon. member had mentioned less distinctly than became the proposer of such a measure, was nothing less than a national bankruptcy. The hon. member had on a former occasion spoken of the same proposal more distinctly, under the name of a reduction of the interest of the national debt. It could not be necessary to say, that to a proposition so devoid of justice and wisdom, the House would never accede. The country would lose more in credit and resources of every kind, than it could in any manner gain by such an enormous breach of faith [Hear, hear!]. Whatever burthens were imposed on the stockholders, in common with other classes of the king's subjects, they would chearfully bear, as they had chearfully borne the tax on their property notwithstanding the plausible reasons which might have been urged on their part against it. On this extraordinary proposal it was unnecessary to say more, and he should revert to some of the statements of the hon. and learned mover, which he should object to rather in the result than in the particular items. The general purpose of the resolutions proposed by the hon. and learned mover was, to give a prospective view of the finances. To this he (the chancellor of the exchequer) objected, as it would be most improper to pledge the House to any opinion as to the financial situation of the country in future years. The difficulties of the present year had been met in a manner satisfactory to the House, and to which the hon. and learned gentleman had stated no objection, unless it can be called one that expedients of a temporary nature had been employed. Whether the expedients were temporary or not, they were sufficient for a temporary purpose; and the country had reason to congratulate itself that the difficulties which had been occasioned by the change in the arrangement for the service of the year, had been surmounted in a manner so little injurious to the public credit. The hon. and learned mover had assumed, and this assumption formed the very basis of his reasoning, that the expense of future years would be equal to that of the present. What the expense of future years might be, neither the hon. mover nor he (the chancellor of the exchequer) could say: but if the country was to remain at peace, it was highly probable that reductions would be made. It was curious, however to observe, that amidst the urgent calls for general reduction which had been made in the present session, complaints were made that in one great branch it was carried too far, and that the navy was a neglected service: but that observation was answered by the amount of the sum voted for the navy, which was 10,114,345*l.*, while the sum voted for the army, for which in the year 1815, 39,000,000*l.* had been granted, was no more than 10,587,972*l.* Without pretending to say how much farther reductions could be carried, could it be supposed that the permanent peace establishment would be so large as this? [Hear, hear!]. In the present year, too, a diminution of the national debt had taken place. The sum which had been borrowed from the bank was 9 millions: 2½ millions had been borrowed by exchequer bills; 3 millions had been borrowed in Ireland in Irish money, amounting to 2,750,000*l.* in English money. This made in all 14,250,000*l.*; but the sum reduced by the discharge of exchequer bills, and the operation of the sinking fund was 17,230,000*l.*, being an excess of three millions above the debt contracted. Therefore, if we were able merely to preserve our present condition, we should have an efficient and growing sinking fund in future years. He was far from saying that this state would be satisfactory, or that the reduction of our debt would in that case proceed so rapidly as was desirable, considering its great magnitude, but he hoped for much better things. It was, however, to be remembered, that we stood at present in a better condition than after the American war, when Mr. Pitt began his brilliant financial career. After the conclusion of the American war, our debt continued to increase for some years during peace; and it was not till 1786, when Mr. Pitt established the sinking fund, that the income of the year could balance the payment of the interest of the national debt, and defray the charges of our establishments. The hon. and learned gentleman, not satisfied with this state of things, required a pledge from ministers of economy, and the disclosure of plans for preventing the ruin he apprehended; but he gave a most extraordinary reason for making such a pledge, by declaring that no pledge could either be properly given or confidently relied on. He (the chancellor of the exchequer) would give no pledge, because ministers felt the obligation which their public duty imposed so strongly, that no pledge could add to its force, or afford additional security for its fulfilment. It would be very imprudent to give any other pledge than an assurance that whatever should appear most conducive to the public welfare would be supported and carried into effect with all their zeal and ability. They could bind themselves to no particular course of conduct. The hon. and learned gentleman had allowed an increase of revenue to the amount of nearly 500,000*l.*, on comparing the produce of the taxes this year with their produce in a former year; but against this he stated the amount of the new taxes at 900,000*l.*, and the increase of the property tax to the extent of 200,000*l*, making in all 1,100,000*l.*, which, if deducted from the increased revenue of this year, instead of making it appear greater than the last, would show a falling off of 600,000*l.* He (the chancellor of the exchequer) had, however, stated on a former occasion, that if some new duties were imposed, other taxes existing in the former year had terminated and expired. It would be found that war duties of customs and excise to the amount of 870,000*l.* had been thus lost to the revenue, which would do more than cover the excess of 600,000*l.* mentioned as a falling off. In a comparative statement of the revenue, the taxes belonging to the consolidated fund, and the other duties, should always be taken together, because the payments were not always accurately distributed, and great injustice was always done to the consolidated fund in the appearance of the accounts, the bounties and drawbacks being drawn in much more than its fair proportion, from that fund. He would venture to affirm, that down to April last, so far from their being any decrease, there had been an augmentation of the revenue. He could not say what would be the state of the country in future; though there was a probability that there might next year be a falling off in some branches of the revenue, from the distresses of the country, and some causes in operation, such as delays of payment occasioned by failures in business, and repayments of duty on account of the taxes which had been taken off, the results of which would not be seen till another year. But on the other hand a counteraction was to be expected from the repeal of those taxes which was likely to render the remaining revenue more productive. On this prospective view he could venture to give no distinct or decided opinion—far less would he wish to pledge the opinion of parliament by entertaining the present resolutions or any others of a prospective nature. The hon. and learned mover had said that the repeal of the taxes had forced ministers to adopt measures of economy, and he seemed to wish them to be still more cramped [No! from Mr. J. P. Grant]. He was glad to hear this disclaimed, because there was nothing from which he apprehended more evil to the country than the anxiety for further relief from taxation. The hon. and learned gentleman showed something like injustice in wishing to bind ministers to economy and to a reduction of debt, while he took away their resources for meeting demands for the service of the country. The hon. and learned gentleman might rely on the wisdom of parliament, and the firmness with which the country would support what was necessary to carry it through its difficulties; but he (the chancellor of the exchequer) felt it inconsistent with wisdom or propriety to attempt to involve the legislature in a premature decision as to any particular course, and he should, therefore, feel it consistent with his duty to move the previous question on all the resolutions that had been read.

Mr. *Ponsonby* observed, that the accuracy of his hon. and learned friend's premises had been undisputed, and he was afraid that time would prove that his conclusions were not less accurate. It was on all hands agreed, that in the next year there would be a deficiency in the revenue, whether of seventeen, fifteen, or twelve millions he should not dispute. What then was the resource? The chancellor of the exchequer had accused his hon. friend (Mr. William Smith) of having barely hinted at his remedy; but as it was easy to divine that his hon. friend's remedy was the reduction of the interest on the national debt, so it was easy to perceive that the chancellor of the exchequer's remedy was the renewal of the income tax. The chancellor of the exchequer had accused his hon. and learned friend of despondency—but the despondency of his hon. and learned friend was better than the hope and joy of the chancellor of the exchequer. It was to be remembered that the country was in a very different situation from that in which it had stood at the conclusion of former wars. It was but a hundred years ago when there was but one power in the world capable of contending with us. The emperor of Russia had then come to this country to learn to build a boat, and some of the American states were scarcely planted. But now, not only France, but Russia and America were capable of contending with us, and we might be soon engaged in a struggle more terrible than we had ever met with. He did not say that our resources were not equal to the contest, but it was necessary that we should not squander that wealth, which formed the main power by which we had made ourselves arbiters of the world. He did not believe his hon. and learned friend intended to divide the House on the present resolutions, but he thought he deserved great credit for bringing them forward.

Mr. *Tierney* said, that the able speech of his hon. and learned friend who moved the resolutions had left him nothing to add to it; and what was more extraordinary, in what had come from the other side of the House there was nothing for him to answer. The course pursued on former occasions, when he (Mr. Tierney) had brought forward similar resolutions, namely, that of moving counter-resolutions, had been departed from in this instance. The chancellor of the exchequer admitted the premises of his hon. and learned friend, and only differed from him as to the conclusions which he had drawn from them. The language held by the right hon. gentleman this night, differed somewhat from that which he had formerly held. He now refused to give any pledge on the subject of the future expenditure of the country; though before, to obtain the vote wanted for the present year, he had been willing to give all sorts of pledges for the time to come. Comparing the receipts of the consolidated fund of last year with that of the preceding, there was an apparent increase of 750,000*l.*; but then it was to be recollected, that the amount of the produce of the new taxes, which he now found to be 1,000,000*l.* was to be considered; and to this must be added 200,000*l.* for the produce of the new stamp duties. Thus, in fact, instead of an increase, there was an absolute falling off, to the amount of 500,000*l.* At the same time he agreed, that nothing ought to be said which could cause despondency; for he allowed that the resources of the country were so great, that if properly managed they would carry us through all our difficulties. But then he was convinced that this object could not possibly be accomplished without the prompt interference of parliament. He advised the House to take the subject of our finances into its own consideration. He had indeed offered similar advice at an earlier period of the session, and that such consideration was necessary must, he thought, be generally felt, when it was recollected that the surplus of the consolidated fund was estimated by the chancellor of the exchequer, at only three millions. If a committee up stairs had been appointed, as he suggested early in the session, the House would have been enabled to understand the amount, and the cause of the difference between our income and expenditure, and hence some measures might have been taken to remedy the deficiency. To supply this deficiency, he understood, that very extraordinary means had been resorted to by his majesty's government. For instance, he had heard that several bonded debts upon warehoused goods had been called in, with a view to force up the amount of the revenue. On the other hand, it must be considered that many taxes which were productive in war, would be comparatively unproductive in peace. But on the whole, from the want of a due understanding of the actual state of our finances, which ministers appeared unwilling to make known, the consequence was, that most people were likely to think the danger greater than it really was. The public by being left entirely at the mercy of the chancellor of the exchequer, would be apt to indulge gloomy conjectures. Yet the right hon. gentleman was heard to say, "Leave it all to me, and you need not despond." But what was the ground of the right hon. gentleman's claim to a confidence far beyond any thing ever demanded by Mr. Pitt, who usually laid before the House at the close of each session, a statement of the finances of the country.

Mr. *Thomas Courtenay* denied that the revenue had fallen off, if we took a retrospect of four years instead of one. The revenue was, he said, increasing instead of declining. In the excise, which was that sort of revenue that proved prosperity more than any other, by showing that individuals were able to indulge in luxuries, the increase was manifest.

Mr. *J. P. Grant* rose to reply. He observed, that he had the melancholy satisfaction of finding, that all his main statements were confirmed by the chancellor of the exchequer; but he had also heard that which afforded him no satisfaction, namely, that nothing was to be done by government to provide for the future. The chancellor of the exchequer, indeed, deprecating any consideration of the future, had intimated, that "sufficient for the day was the evil thereof;" but it was of this improvidence he complained, and the country must complain of it also. The inability of the public income to meet the expenditure was admitted on all hands; and still our first financier said, that "sufficient for the day was the evil thereof." He appealed to the House and to the country, whether this could be regarded as the language of a statesman competent to rescue the country from its difficulties. The right hon. gentleman had no doubt held out a prospect of relief in the application of the sinking fund, and the re-imposition of the income tax. So, then, the sinking fund, which was boastingly held out by its authors and advocates as the means of discharging our debt, was now to be looked to as a resource merely for supplying our expenditure, and the renewal of that odious imposition, the income tax, was to be contemplated by the country as the means of raising the income to a level with our expenditure! But how would the country regard the language of the right hon. gentleman? Was it possible that it could be endured, or that any minister would venture to act upon such language? After adverting to the calculation of Mr. Pitt, as to the surplus of the consolidated fund when our revenue did not exceed 14,500,000*l.* and contrasting it with the present surplus of that fund and its probable diminution in future years, the learned gentleman disclaimed the sentiment of an hon. gentleman behind him, the adoption of which was said to have a tendency to produce a national bankruptcy—namely, that the interest upon the public debt should be reduced. He assured the House that no such thought had ever entered his mind. Whatever measure he had in contemplation with a view to relieve the country, he never could have proposed one so inconsistent with sound policy and good faith as the reduction of the just claims of the public creditor. His measure would indeed rather operate to relieve those creditors than to injure or to commit any fraud upon them.

The previous question was then put and carried upon each of the Resolutions. After which the Resolutions were ordered to be printed.

The House adjourned to Thursday the 6th of June.

HOUSE OF LORDS.

Thursday, June 6.

Alien Bill.] Lord Sidmouth gave notice of his intention to move the second reading of the Alien bill on Tuesday next.

Lord *Holland* trusted that the noble viscount would explain on Tuesday the motives that had led to the introduction of this bill, which the noble viscount called an alien bill, but which he (lord H.) would call a bill for introducing alien law into England, and foreign ministers into the administration of our police. He trusted that the noble viscount would be prepared to explain what were the motives that operated with regard to foreign powers, or what was the danger apprehended to our own constitution, from the designs of foreigners, that could render at all necessary such a bill. He hoped also, that before their lordships proceeded to the last stage, they would resort to that constitutional power with which they were invested, for the purpose of ascertaining who and what were the objects of this bill; and for this purpose, that they would put questions to his majesty's judges, in order to know what description of persons under the term Aliens would be effected by this measure.

Civil List Bill.] The Earl of *Liverpool* moved the second reading of this bill. His lordship went briefly over the history of the civil list, for the purpose of showing that previous to the present reign the Crown possessed hereditary revenues, with respect to which, if they did not amount to a certain sum (700,000*l.* in the reign of queen Anne and George 1st, and 800,000*l.* in the reign of George 2d), it was agreed that that sum should be made good by parliament, whilst the surplus above that sum was at the disposal of the Crown, and referring to the bargain made at the accession of his present majesty, by which the hereditary revenues of the Crown were appropriated to the service of the public, and a fixed sum (800,000*l.* subsequently increased) granted for the civil list. A fixed sum having thus been granted to provide for expenses which necessarily fluctuated and from the depreciation of money necessarily increased, it was not at all surprising that that fixed sum should become inadequate to the expenditure it was destined to meet. Had, on the other hand, the hereditary revenues remained to the Crown, their increase would probably have covered any increase of expense. It was, however, of importance to consider that the expenditure of the civil list had not been increased by the personal expenses of the Crown, but by charges included in the civil list, which belonged to the administration of the civil government of the country. The personal expenses of the Crown, so far from being greater, were less than in other countries. The amount of the 4th and 5th classes of the civil list, which alone concerned the personal expenses of the Crown and the royal family, and of the privy purse, was altogether only 409,000*l.* whilst, in France, the king had granted to him 25,000,000 livres (1,000,000*l.* sterling) for his personal expenses alone, not including any of the expenses of the royal family, nor any charges arising out of the administration of the civil government of the country. The prejudices, therefore, that prevailed out of doors upon this subject, were totally destitute of foundation. The fact was, that the excess of expenditure had arisen not from the personal expenses of the Crown, but from the charges connected with the civil government of the country, in which an increase had taken place. His lordship then adverted to the measures respecting the civil list in 1804 and 1811, and observed that the whole expenditure now, including the expenses of civil establishments and the Windsor establishment, arising from the unfortunate situation of the king, amounted to 1,339,000*l.*, whilst the income was 1,050,000*l.* There were two modes of remedying this deficiency, either by adding to the income of the civil list, or by relieving the civil list of charges which arose from the administration of the civil government of the country. The latter had been preferred as the best under all the circumstances, as this arrangement would, on the one hand, relieve the fixed income of the civil list from fluctuating charges inconsistent with its nature, and on the other, would place these charges under the constant control and superintendence of parliament. Whilst other resources were at the disposal of the Crown, this arrangement was deferred. It now became necessary to make some provision upon the subject, and the arrangement he had to propose in the bill, now before the House, was the result of the consideration which had been given to the subject, which would take about 250,000*l.* from the charge on the civil list, and place it to other accounts connected with the public service. Another object of the bill was, to appoint an auditor to check the expenditure of the civil list. It had been determined to appoint this officer in consequence of the treasury having no official control over the expenditure of the civil list, and the delay that necessarily occurred in auditing the accounts of the civil list by the auditors. If any objection was made to the appointment of this new officer he had to answer, that offices would be abolished in the department of the lord steward and lord chamberlain, to the amount of between 7 and 8,000*l.* per annum, which would considerably more than counterbalance the expense of the auditor. With regard to the personal expenses of the Crown, he felt it due, before he concluded, to remove those prejudices which had been entertained upon the subject, and to repel the insinuations that had been elsewhere made. The fact was, that the personal expenditure of the Crown had not increased, though all the articles of that expenditure had increased in price. The amount of expenditure in the fourth class now, was 234,000*l.*, and it would be seen that in the eight years, ending July 5th, 1760, the last eight years of the late reign, the average annual expenditure in this class, was 234,700*l.* In the fifth class also, the expense now was 230,000*l.*, whilst in the period above alluded to, the average annual expense, was 215,000*l.*; thus in the course of 56 years, there was only an increase of 15,000*l.* His lordship concluded with moving the second reading of the bill.

The Marquis of *Lansdown*, after the refusal on the part of the other House, as appeared by their votes, to institute an inquiry upon this subject, had no hope of being able to persuade their lordships to agree to any such inquiry. He therefore had not that information upon the subject which the question demanded; but if he should give his assent to this bill, he wished it to be distinctly understood that it was not an unqualified assent. With respect to the hereditary revenues of the Crown, he must beg leave to say that they were no further the hereditary revenues of the Crown than as granted by parliament, and that parliament had the power at the commencement of every reign, of sanctioning the disposition of those revenues in whatever way seemed to them most advisable. As to the question of the amount of the civil list, he could not consent to look for illustration or example to foreign countries, particularly to that country to which the noble earl had referred, alternately distinguished by its devotion to monarchy, and its repugnance to all monarchical government; and in which, if the restoration meant the restoration of the ancient government, nothing could be more repugnant to the principle of our constitution. It was to these principles that he wished to look, and not to the example of foreign governments. With regard to the principle of exonerating the civil list from certain charges connected with the administration of the civil government of the country; it was what he had long thought expedient, but not connected, as it now was, with the imposition of an additional burthen on the country. It should be kept in mind, with reference to this subject, than an additional burthen of 250,000*l.* per annum was to be imposed upon the public for the purpose of relieving the civil list. He could have wished to have seen the same principle adopted, as at the commencement of the present reign. When the income of the civil list was then fixed at 800,000*l.*, certain hereditary revenues of the Crown were given up in return for that grant from the public; and he certainly thought it would have been only a proper arrangement if, on the present occasion, the droits of admiralty had been surrendered in consideration of the additional sum of 250,000*l.* now imposed upon the country. With respect to those droits, he did not mean to say that the Crown was not entitled to them, but its title was only the same as to any other source of revenue, subject to the control of parliament. It was the same as the prerogative enjoyed by the Crown in the reign of Charles 2nd in respect to wards and liveries, but which was formally abandoned in consequence of its objectionable character. The droits of the admiralty, might, therefore, have been made a permanent part of the civil list revenue, parliament being under the obligation to supply any deficiencies which might arise in them, and such an arrangement he should have thought more suitable to the dignity of the Crown. That there ought to be a control exercised over the civil list expenditure, the experience of late years sufficiently proved, but at the same time he did not see any great additional security in the proposed nomination of an auditor. That officer would have the power to send for papers and examine persons, but they would not be able to examine those responsible individuals at the heads of the different departments, who could alone regulate the expenditure, and keep it under. The only security was still to be found, as before, in the subsequent control of the treasury; and therefore, the present bill would not, in his opinion, remove the necessity of parliamentary interference at some future period.

Lord *Holland* said, he perfectly concurred in some of the principles which had been laid down by the noble earl opposite, but what he complained of was, that the bill was at variance with those principles, and still more at variance with the statements made by the noble earl. With respect to the office of auditor, he could not believe that it would be found sufficient to check all the abuses in the civil list. The noble earl had talked a great deal about the surrender of fluctuating revenue by the Crown, when the bargain was made with it, at the commencement of the present reign; but he still left at the disposal of the Crown, a fluctuating revenue to an extent which was never contemplated by parliament, and which was fraught with the most dangerous tendency to the constitution. The droits of admiralty were, in fact, a sort of bonus to the Crown for going to war with any power in Christendom; and the consequence was that, during nearly half a century, it had been the practice of this country, contrary to the established usage, to have recourse to war, without any previous declaration, thus sweeping, at once, into the funds of the civil list, a larger revenue than could ever have been contemplated by parliament. He would undertake to prove that the expenditure of the civil list, including the exonerations which had been sanctioned at different times, the fluctuating revenues, and the various debts paid since the year 1760, amounted to three times the sum which parliament contemplated when the bargain was made with the Crown. He hoped, therefore, they should hear no more of the hypocritical pretensions that the expenses of the Crown had been kept under, and that the increase which had taken place was the unavoidable consequence of the general increase in every article of subsistence or of use. He knew not why the arbitrary monarchies of the continent should be adduced as an example for this country to follow. If a comparison must be instituted, let it be made both ways; and let us compare our expense of the civil list with that incurred by the united states of America. But no, that parallel would not be endured for a moment. God forbid that we, who were not republicans, should compare ourselves with a republican government. That part of our constitution, however, which was our greatest boast and strength—that part which gave us all our influence and character in the world, and which had enabled us to endure and perform what we had endured and performed —he meant the democratical part—bore a stronger affinity to the qualities of a republican government, than our monarchical part did to the absolute sovereignties of Europe. Upon the whole, though he concurred in some of the provisions of the bill, he did not approve of it altogether. It was by no means a measure of fair reciprocity between the people and the Crown.

The Earl of *Harrowby* contended, that notwithstanding all the additional grants and aids which had been afforded to the civil list since the year 1760, it would be found, upon an accurate inquiry, that its expenditure fell greatly short of what its income would have been, had its hereditary revenues continued. With respect to the opinion, that the droits of the admiralty operated as a kind of bonus to the Crown for plunging into wars, he thought it impossible to imagine a more chimerical ground of alarm. This country was guided by the councils of responsible ministers, and it was really absurd to suppose that any man could be so profligate and mad as to advise his sovereign to go to war, without any defensible ground, but the vile and sordid one of enriching the civil list.

Lord *Holland* observed, that there had not been a single instance, he believed, during the present reign, in which the customary usage of a declaration of war had been resorted to previously to the commencement of hostilities. The inference from that fact was, he thought sufficiently obvious.

The Earl of *Liverpool* said it was evident that the parliament which made the bargain with the Crown respecting the civil list, in 1760, contemplated the droits of admiralty as a part of its revenues, for they were then in the middle of a most expensive war, and when those droits were greater in amount than they had ever been, except within the last two or three years. Nay, in the course of the war parliament voted a part of those droits for the public service, but so sensible were they that they belonged to the prerogative of the Crown, that they afterwards revoted the sum back again. The noble baron had talked about comparing the civil expenditure of this government with that of the united states. He was ready to do so; for it happened that some years ago, upon a somewhat similar discussion in the House of Commons, he had collected authentic information upon the subject, and though he had mislaid the memorandums he then made, yet he could venture to affirm from recollection, that the expenses of the civil government of the United States were greater than those of the civil government of this country. At the period to which he alluded, that expense amounted to between 7 and 800,000*l.* sterling per annum, and that with a population of not more than four or five millions.

Earl *Grosvenor* said a few words against the office of auditor, and intimated his intention of proposing an amendment upon that part of the bill, when it went into a committee.

The bill was then read a second time.

HOUSE OF COMMONS.

Thursday, June 6.

Petition from Rochester respecting the issuing of a New Writ.] Mr. Calcraft presented a Petition from the freemen of Rochester, respecting the acceptance of the place of treasurer of Greenwich-hospital by one of their representatives, sir T. B. Thompson. They considered it as an office of profit under the Crown, which rendered their member's seat void; and they prayed for a new writ for that city.

Lord *Castlereagh* contended, that after the decision of the House on this subject, the petition could not lie on the table.

Mr. *Calcraft* observed, that the House had not come to a decision, as the previous question was adopted. That a decision might be obtained, he would make a motion on the subject.

Mr. *Tierney* insisted that the electors had the right to claim, that their member should be sent back to them. He hoped his hon. friend, when he brought forward his motion, would shape it so as to force the House to decide whether the appointment in question was or was not of a military or naval nature.

Mr. Calcraft then gave notice, that on Wednesday he would move for a new writ for Rochester. The petition was ordered to lie on the table.

PETITION FROM M. PERROT.] Mr. *Brougham* said he held in his hand a Petition from a person named Pierre Damasé Perrot, who was a landholder in the isle of France. He complained of having had his house surrounded by a body of armed men, who forced him on board a ship, and landed him in England, after a passage of 139 days, during which time he was treated like a prisoner, without any charge, as far as he knew, being laid against him. On arriving in England, and applying to government, he was told that there was no charge against him, and he might return. It was scarcely possible to suppose, that such a violent measure would have been adopted without some powerful reason, though no cause was assigned by the petitioner; but however this might be, the conduct of the government at home towards the individual seemed as extraordinary as that of the colonial government seemed unjust and outrageous. When he first heard of the circumstance, he asked the noble lord opposite for information upon it, but had received no answer. All that he could learn was, that this person had combined with others, in a remote part of the island, in a tumultuous measure to oppose the introduction of slaves from Madagascar, and out of this arose the persecution he had experienced.

The petition being read,

Mr. *Goulburn* said it was unfortunate, that from the long period since the arrival of any dispatches from the isle of France, the particulars relating to the cause of this individual's deportation could not be fully communicated. The only information that had been received on the subject was contained in a dispatch from governor Farquhar, which disclosed enough perhaps to justify his interference. It appeared, that the British government at the Mauritius had last year established a registry of slaves. An insurrection had broken out on this subject at the isle of France, and it happened that at this moment a commissioner arrived, who had been sent out by Buonaparté after his return from Elba, who intended to avail himself of the tumult, to convert what was an opposition to the registry bill, into an opposition to the government. The insurrection at last got to such a head, that the troops were called upon to act. When it appeared that this M. Perrot had taken a distinguished part in the affair, the governor, by the advice of the council, had thought it right to rid himself of the leaders of the insurrection, by shipping them for England. Since the petitioner had stated his case, he had been ordered to return to his family, and was provided with the means of subsistence and shipping back. Every syllable of his complaint, respecting the severity of his treatment on board ship, had been contradicted.

Mr. *Baring* did not think it had been shown, that the best line had been adopted which the case required. The best proof that there was no serious charge against the petitioner was, that he was ordered to be sent back. The liberties of the people of the new colonies we had acquired, were subject to the simple will of the respective governors, and therefore the question, as to what sort of government these colonies should be under, was worthy of the early attention of the House. He maintained that the governor of the isle of France had, by his conduct to the petitioner, exposed himself to an action for damages. Enormous exactions, he understood, had been practised upon the people and property of that island, by the mere fiat of the governor; a circumstance which deserved the decisive interposition of the House.

Sir *S. Romilly* was of opinion, that the proceedings of the governor against the petitioner were most unjustifiable. Were there no laws in the island, that he was sent a prisoner to a country where he had no friends or connexions whatever? It was not made out that this person was acting in the insurrection, and therefore if a man was to be suffered to be thus injured with impunity, he would say, that the House was entirely insensible to the liberties of British subjects abroad. He thought the case in question was a very serious one indeed.

Mr. *Ponsonby* desired to know, if this person was actually engaged in the insurrection against the government, why proceedings were not instituted against him there? For what purpose should our government order him to go back to the island? Why was he not tried there, or sent here with such charges against him as might cause an investigation into his conduct?

Mr. *Brougham* thought, from what had transpired, that this case had assumed a more serious shape than it had at first appeared in. This person had suffered a severe punishment before any trial; and the only question was, whether the state of the island authorized such conduct as had been adopted towards him? Was it to be taken up as a principle that our governors of distant colonies were to send home persons, at their mere will or pleasure; and that they were then to be simply ordered back again, without any charges appearing against them?

The petition was ordered to lie on the table.

Irish Grand Jury Presentments.] Mr. Cooper after a few preliminary observations, in the course of which he commented upon the report which a committee had drawn upon this subject, moved for leave to bring in a bill to consolidate, amend, and reduce into one, all the acts relative to the mode of raising money by grand jury presentments in Ireland. He stated it to be his intention not to press the bill during the present session. A long conversation ensued, in the course of which, sir J. Newport, Mr. Ponsonby, Mr. Abercrombie, and sir H. Parnell, urged the necessity of a bill, even in the present session, which should place the tax levied by these assessments under proper control. On these grounds sir H. Parnell moved, that the words "consolidating," and "reducing into one," be left out of the motion, for the purpose of leaving only the word "amending." Mr. Vesey Fitzgerald acknowledged the utility of some immediate measure, but was unwilling to take the subject out of the hands of Mr. Cooper. Mr. Peel proposed that two bills should be brought in, the one for consolidating, &c. and the other for amending, so as to give the power of immediate control. The latter bill might pass this session, and the former be postponed to the next. The Speaker submitted, that in point of form two bills could not concurrently pass through the House, both professing the same objects, though to a greater extent in the one than the other: besides, the consolidating act could not include the one that was contemporaneous with it. After some farther conversation, sir H. Parnell's amendment was carried, and Mr. Vesey Fitzgerald consented to bring in a bill with the title thus altered.

Roman Catholic Question.] Sir *Henry Parnell* rose, pursuant to notice, to call the attention of the House to those petitions from the Roman Catholics of Ireland, which he had presented. He said those petitions contained the prayer of nine-tenths of the Irish Roman Catholics, including all the Catholic clergy; that they were unlike the petitions usually presented to the House, because they belonged rather to a whole people, than to some particular class of persons seeking some advantage of a private or personal consideration. If it was true, that the population of Ireland exceeded six millions, the number of those who were immediately interested in these petitions, could not be less than between four and five millions. As their grievance was exclusion from the constitution and their prayer was to be admitted into the enjoyment of it, he could not conceive how a stronger claim could exist upon the consideration of the House, than this claim which was now made upon it by the Roman Catholics of Ireland. The motion which had been submitted to the House by a right hon. friend of his (Mr. Grattan) rendered it unnecessary for him at this time to press the House to come to a further decision upon the general question of emancipation; this had been so recently discussed and decided upon, he felt it could answer no good purpose, but, on the contrary, he conceived it might injure the question very considerably again to take the sense of the House upon it. In respect, therefore, to the claims of the Catholics to seats in parliament, and to be eligible to fill those offices of the state, which were offices of great political influence, he should not now bring them under discussion. But, in order that these important objects should not be lost sight of, he wished to give the House to understand, that he should call upon it to take them into its consideration early in the next session. He would, for that purpose, be present at the opening of it, and on the first day he would give notice of a motion for the complete emancipation of the Catholics, and also for calling over the House on the day fixed for the debate. The interval could not be better occupied, than by diligently examining into all the details belonging to this most important question. The result of such an inquiry would be a conviction, that the disorders which prevail in Ireland cannot be remedied by any other measure than that of a complete repeal of the penal code. The system of military government which now existed there, could never conciliate the affections of the people to the state, though it might produce a temporary suspension of outrage and disturbance: nothing but a complete participation of the whole constitution can reform or tranquillize that country. He hoped ministers would at length make the Catholic question a cabinet question. He found, on looking into the correspondence which took place in 1812, between lord Liverpool and lord Wellesley on the subject of forming a new administration, after the death of Mr. Perceval, that lord Liverpool rested the opposition of himself and his colleagues, the very same who now form the cabinet, upon three grounds,—1st, The conduct and temper which the Roman Catholics have been induced to manifest. 2dly, The principle upon which the question has been brought forward. 3dly, The circumstances of Europe. In respect to the first objection, the conduct and temper of the Catholics, a great change had taken place since 1812. No speeches and no resolutions had appeared to draw down upon them any complaint. They had themselves proposed to meet the wishes of those who desire further ecclesiastical securities, to ask the pope to surrender all influence in the appointment of bishops, by rendering the nomination of each new bishop wholly domestic. But if the conduct and temper of the Catholics were not yet such as every one can approve of, ought that to be a reason for the cabinet refusing to listen to their claims? If it was right it should be so, the prospect of any settlement would be utterly hopeless. For how is it possible to expect an effectual change, while it is refused even to inquire into the nature of their grievances? In respect to the second objection, made by lord Liverpool, the principle on which the question had been brought forward, namely, the principle that the Catholics demanded concessions as a matter of right, this can no longer be urged, as such a principle is not set forth either by them, or those who in this House advocate their cause. As to the third objection, the circumstances of Europe, this has wholly disappeared. It follows, therefore, that according to lord Liverpool's own showing, there does not exist at this time any one of those objections which induced him and his colleagues, in 1812, to withhold their consent to the Catholic claims. This being the case, is not the conduct of ministers deserving of censure, for suffering this session to pass over without any symptom of ever having bestowed a moment's consideration on this question, and that, too, notwithstanding the very first subject that was brought before the House in this session, was the complete failure of all the efforts of the Irish government to check the progress of secret associations and open disturbance which prevailed in Ireland. It was much to be desired that some explanation should be given by the noble lord (Castlereagh) of what were the opinions of ministers under the present circumstances of the question. The agitation which prevailed in Ireland was greater than ever was before known. If ministers would give their support to a bill for granting the subordinate concessions, they would do a great deal towards appeasing this agitation. The noble lord has said, that the success of the Catholics was altogether in their own hands; but to make them feel this to be the case, something more was wanting than the assertion of the noble lord. The Catholics will judge from the votes of the House upon the probability of succeding in their object, and if they see refusal follow refusal to entertain their claims, they will become more and more discontented. It was principally for the purpose of counteracting the ill effects upon the feelings of the Catholics, of allowing the session to close without doing something for them, that he proposed a bill should pass, for giving them the subordinate concessions. Even these would be received with gratitude, and would be considered as a pledge of the favourable disposition of parliament to give them further relief. He felt himself in a situation to propose such a measure, with every expectation of the support of the House, in consequence of the admissions that those members who had been the most zealous opponents of the Catholics had made, of the expediency and safety of such a measure. He alluded to the opinions of sir William Scott, sir John Nichol, Mr. Yorke, and the Speaker; particularly of the latter, who had said, so long ago as the year 1813, that "what he contended for was, that we ought still to withhold from the Roman Catholics all capacity of political power and jurisdiction but at the same time widely and liberally to lay open before them the field of profitable and honourable reward for distinguished exertions and services; and in matters of religion to render their legal toleration complete." With this authority in favour of the object he had in view, he should propose to the House certain resolutions, which, if agreed to, would form the subject-matter of a bill for granting those concessions, which the Speaker had said ought to be widely and liberally granted. The first resolution goes to declare the expediency of granting the offices of teller and cashier of the exchequer, or auditor-general, vice-treasurer, postmaster-general, serjeant at law, attorney and solicitor general, king's counsel, master in chancery, master and lieutenant-general of the ordnance, generals on the staff, sheriff and sub-sheriff, and all offices of corporations. This resolution would open to the Irish Catholics several legal offices. It would open the army to every office but that of commander of the forces. It would open all the revenue offices and all corporation offices. It would not be difficult to produce cases to prove, that every existing restriction has been the source of great grievance to individuals; but to do so would be going too much at length into the question. One which had lately happened was sufficient to give the House some idea of the operation of these penal disqualifications. A Catholic in the sea service had been recommended for promotion for his gallant conduct, and he was nominated as master and commander. When he wished to take the benefit of his promotion, he was called upon to take the oaths of qualification, and not choosing to abandon his religion, he lost his rank. This gentleman had two brothers killed fighting in Spain.—The next resolution went to relieve Catholics from the necessity of taking the qualifying oaths of 1773 and 1793, as the condition of voting at elections for members of parliament, a condition which operated as a great vexation to them, without conferring a single advantage to the state. The next resolution was, to relieve Catholics from taking these oaths as a qualification for purchasing or disposing of landed property. As the law now stands, no Catholic can acquire or dispose of any property in land, except at a rack-rent for a lease of 31 years, unless he takes these oaths. If he should make a purchase, or a will, and have omitted to take them either through ignorance, or from being incapable through illness of going into the public court, where they are required to be taken, or even if after having taken them, he should lose his certificate of having done so, any member of his family who chooses to conform, may file a bill in chancery, and possess himself of the property. This actually happened in the case of a Mr. M'Evoy. The total absence of all necessity for continuing such a restriction on the right over property, must show the expediency of removing it.—The next resolution enables Catholics to make charitable donations for the maintenance of their chapels, priests, and schools. This they cannot now do, as all such donations are held to be for superstitious uses, and, as such, are seized upon by the commissioners of charitable bequests, and applied to other charitable purposes. The impolicy and injustice of such a prohibition is too palpable to require any comment. The two remaining resolutions go to give protection to Catholic priests and their congregations, from disturbance during divine service; and to protect Catholic soldiers from being compelled to attend Protestant places of worship—two objects particularly recommended by the authority of the Speaker. Should these resolutions receive the sanction of the House, a further resolution will be necessary to place the English Catholics in every respect on a footing with the Irish Catholics. If a bill should be allowed to pass this session founded on these resolutions, a great extent of practical relief will be conceded to the Catholics. They will feel grateful for the favour conferred on them; they will regard the government and parliament as their sincere friends; and instead of looking at the question of ecclesiastical arrangements with a suspicion and a prejudice which does not allow them even to bestow a thought upon the meaning and plan of these arrangements, they will calmly examine them, and ultimately accede to them, if these arrangements, shall be wholly free from a tendency to injure their civil liberty or their religion. Sir Henry then proposed his first resolution.

Mr. *Peel* begged that the standing order might be read, by which it was declared, that no bill which went to make an alteration in the religion of the country, should be discussed in that House until the proposition had been first considered by a committee, or agreed to by the House.—This being done,

The *Speaker* said, that in matters of this nature it was the practice to begin with a committee of the whole House; at the same time he did not know that any hon. member was precluded from moving abstract resolutions: but certainly no bill could be introduced without the sanction of a committee.

Sir *H. Parnell* was perfectly aware that if it had been a general measure for Catholic emancipation, it ought to be referred to a committee of the whole House; but by submitting only these concessions, he considered himself justified in making the motion.

Mr. Serjeant *Best* was decidedly of opinion that the resolution came within the spirit of the standing order. The hon. baronet seemed to think that he could carry his resolutions by piece-meal, but it was impossible to put such a construction on the order of the House.

Sir *H. Parnell* apprehended that he was not so much mistaken in point of form as seemed to be imagined. Several acts had been passed in the Irish House of Commons, which was governed by the same rules as the English and that House had always allowed bills of this nature to be brought in without previous inquiry by a committee.

Lord *Castlereagh* said, it was impossible not to feel, that in thus bringing the question forward the hon. baronet could do it no good. If under such auspices he could reconcile it to his own feelings to proceed, such a course would be abhorrent to the feelings of those who usually acted with him, and to others who felt as anxious on this question as the hon. baronet himself could do. He trusted he would feel that to persevere would be to sacrifice the real interests of the question to what he might regard as his own consistency, though surely that could not really be consistency which at all made against those of whom he had so long been the advocate. He would put it to the hon. baronet, if many of the friends to this question had not withdrawn themselves on account of the course which he had thought it his duty to take? and he would ask if it was dealing candidly by the House thus to bring this great question into discussion piece-meal? He was not prepared to oppose those concessions which had been called for, but at the same time he could not suffer himself to be dragged in to support every indiscreet, motion which might be brought forward connected with it. The imprudent motion of the hon. baronet he thought likely to do great injury to the cause, and therefore he could not give it his support. He put it to the hon. baronet, if by persevering in his motion he could hope to serve the Catholics when it was seen that his own political friends were absent to avoid being placed in that dilemma which would leave them no choice but to vote against his motion, or to do that which would not serve the Catholics. He hoped the hon. baronet would not persevere in his present motion as it was obviously the interest of the quesion that he should abandon it.

Sir *H. Parnell* said, that the opinion o the noble lord placed this question entirely on a different footing. The noble lord had stated that he could not support the motion, which deprived him of the hopes of success. He was placed in a situation to which every person who felt anxious to discharge his public duty was always liable. The petition which he had presented could not be considered in any other light than as the petition of the Roman Catholics of Ireland: and he had felt it his duty to attend to the sentiments and feelings which they had expressed. He was persuaded that there was no other way of succeeding in this great question, than by bringing it repeatedly before parliament. With respect to the temper of the Roman Catholics, it could hardly be expected that the irritation would subside, when nothing occurred but refusal after refusal, to take their claims into consideration. He had been anxious at all times to support their interests to the best of his power; but, after the opinions which the noble lord had expressed, he thought it his duty to withdraw his resolutions.

SCOTCH DISTILLERIES.] The House having resolved itself into a committee on the Scotch Distillery acts,

The *Chancellor of the Exchequer* said, that illicit distillation had, of late years been carried on to a most mischievous extent, and that this was very much to be attributed to the bad quality of the spirit produced from the regular distilleries. The plan which he intended to submit to the committee consisted of regulation and reduction of duty. For this purpose he intended to encourage the use of small stills of 40 gallons. By this means, especially in the Highlands, where illicit distillation chiefly prevailed, a palatable spirit might be produced in the legal way, and illicit distillation effectually prevented. A boundary had been established for the Highlands, within which the distillery duty was lower; but with this regulation, that none of the spirit distilled within the highland boundary should be transported to the Lowlands. But he now intended to abolish this line entirely, and to reduce the duty from 30 to 25 per cent. The duty on spirits was at present 8*s.* 4*d.* per gallon, and this he should propose to reduce to 6*s.* 4*d.* per gallon, namely, 8*d.* per gallon on the wash, and 9*d.* on the spirit.—He then moved—“ That the present duties on spirits distilled in Scotland, do cease and determine.”

Mr. *W. Smith* said, that as much difficulty would exist in collecting a duty of 6*s.* 4*d.* as a duty of 9*s.* It was almost incredible the extent to which illicit distillation in Scotland had gone. He had spoken with a gentleman who was owner of an island to the north of the Head of Kintyre. That island he had disposed of, and the reason he assigned for doing so was, because it was filled with the nests of illicit distillers, who destroyed his young plantations, and whom he found it impossible to dislodge. Those persons would not be willing to pay 6*s.* 4*d.* per gallon for spirits, on which they at present paid no duty. This being the case, he thought the plan of the right hon. gentleman would tend to disarrange the distillery regulations throughout the country, without at all benefitting the revenue.

Mr. *Finlay* approved of the proposition of doing away the line between the Highlands and Lowlands. The proposed regulations would have the effect of preventing the consumer from dealing with the illicit distiller. He conceived, however, that the duty of 6*s.* 4*d.* was too great. In time such a duty might be collected; but at present he thought it would be impossible. It was futile to think that illicit distillation could be put down at once in Scotland.

Mr. *C. Grant* sen. stated the universal prevalence of illicit distillation, and its lamentable effects on the morals of the people, who, by living in opposition to law, learned to despise it. The legal distiller ought to be encouraged in order to check this evil, and that could only be done by lowering the duty. The gentlemen of Scotland wished to put down this system, but were persuaded that the only means was to lower the duty.

Mr. *W. Dundas* argued in favour of a reduction of the duty to 5*s.* per gallon. He drew a lamentable picture of the deteriorated state of morals in the highlands, arising from the use of ardent spirits, and contrasted it with the morality and good order which, prior to the introduction of illicit distillation, had prevailed there.

Alderman *C. Smith* spoke in favour of the duty proposed.

Mr. *Vesey Fitzgerald* contended, that the proposed reduction of duty would be sufficient. It would be in fact a reduction to 5*s.* 9*d.* He should on his part propose to take off from the Irish duty 6*d.* per gallon, because the Irish duty could not, under the articles of the union, be higher than the Scotch. He was aware that the difference of strength was considerable, and that made the duty, as calculated by his right hon. friend, the same as the duty in Ireland: still it was a matter of calculation, and he would not have, even in semblance, a higher rate in Ireland than existed in any part of Great Britain. He considered that provision of the treaty of union as its most vital enactment. With regard to Scotland it could not be said that the proposition was not a very favourable one. Let it not be too sanguinely expected, however, that low duties alone would be sufficient. He was not paradoxical enough to assert that they would increase the evil; but this he recollected, that in Ireland they had been tried, and had not diminished it. A right hon. friend of his (Mr. Foster) had been persuaded to consent to a similar measure in Ireland. The duty was reduced to 2*s.* 6*d.* a gallon for the purpose of suppressing the illicit distillation; yet it was proved that the practice never prevailed so extensively as at the very time that the duty was so lowered.

Mr. *J. P. Grant* said, that spirits were selling for 6*s.* per gallon in Scotland, being somewhat less than the duty proposed to be levied. How then was it possible to decrease the consumption of illicit spirits, when it was now sold at a price less than the duty which the right hon. gentleman proposed? The morals of the people of Scotland were ruined by the intemperate use of spirits. At one meeting of magistrates, no less than 1,300 persons were brought up to be fined for carrying on illicit distillation.

The Resolution was then agreed to.

The *Chancellor of the Exchequer* then proposed his second Resolution, viz. “That a duty of eightpence be charged on every gallon of wash, made from malt, &c. for the manufacture of spirits in Scotland;” which was agreed to. He next proposed —“ That a duty of 9*d.* be charged on every gallon of spirits, 1-10th above hydrometer proof, manufactured for consumption in Scotland," which was also agreed to.

HOUSE OF LORDS.

Friday, June 7.

Abdy's Divorce Bill.] The House having resolved itself into a committee on sir William Abdy's Divorce Bill,

The Earl of *Lauderdale* moved the insertion of a clause to make a provision of 500*l*. per annum for lady Abdy for life, the fortune she brought her husband having been 10,000*l*.

The *Lord Chancellor* could not consent to 500*l*., and thought 400*l*. would, under the circumstances, be enough.

The Earl of *Lauderdale* agreed to insert 400*l*. instead of 500*l*.

The Earl of *Limerick* said, that sir William Abdy thought 300*l*. enough.

It was at length agreed that the clause should pass the committee with 400*l*., subject to future discussion.

The Earl of *Lauderdale* then moved to strike out the last clause, prohibiting lady Abdy and lord C. Bentinck from intermarrying. His lordship observed, that the principle of the standing order requiring a clause to this effect to be inserted in all divorce bills, had, since its establishment, been only acted upon once, in a case where, from relationship, the intermarriage of the parties would have been illegal, and that in every other case the clause had been struck out. He saw no circumstances in the present case which called for the enforcement of such a clause, or that this case should be rendered an exception to the number of those in which the clause had been dispensed with.

Lord *Kenyon*, on the contrary, thought that the circumstances of this case required the enactment of such a clause, as the inducement held out to lady Abdy was a subsequent marriage, and the interests of morality required that such inducements should be rendered unavailing.

The Bishop of *Chester* also thought that morality required the enforcement of this clause.

The Earl of *Carnarvon* contended, that there was nothing in this case that ought to render it an exception to the general practice of the House regarding divorce bills, particularly, as the inducement alluded to was held out after the seduction had taken place.

The *Lord Chancellor* observed, that the object of the standing order, with regard to clauses of this description was, to disarm the temptation to adultery in the woman from the expectation of a subsequent marriage, but he was not prepared to say how far that House, by, in every instance save one, rejecting a clause of this description, might not themselves have contributed to that temptation which the principle of the standing order went to disarm. He did not believe it originally was the intention of parliament that the offending parties should intermarry, and it was to be observed that there was a clause in divorce bills to enable the husband to marry again, but nothing was enacted with respect to the divorced wife, nor had any decision ever taken place with regard to the legality of the marriage of a wife so divorced. He thought that the circumstances of this case called for the enforcement of the clause which it was now proposed to omit.

The question was put that the clause proposed to be left out stand part of the bill, when the chairman declared the Not-Contents had it. No division took place, but lord Kenyon gave notice that he should move on the third reading to re-insert the clause.

HOUSE OF COMMONS.

Friday, June 7.

Silver Coinage Bill.] On the order of the day for the second reading of this bill,

Lord *A. Hamilton* complained that this bill had been brought forward without sufficient information on the subject having been afforded to the House. He complained of the great inconveniences which the public would be subjected to, and of the large profits which the bank unfairly derived from the issue of their tokens. It was desirable that it should be known what was ultimately to be done with these tokens. He had not heard how the old coin was to be exchanged for the new; but particular care ought to be taken to protect the public from any difficulty that might arise. He thought every man ought to be enabled to effect this exchange at his own door, without being exposed to either trouble or expense. Much distress had been experienced already, in consequence of old silver having been refused, a great portion of which was in such a state, that he did not know how it was possible to determine whether or not it had ever been issued by the mint, and this he apprehended would be particularly felt whenever the time arrived for exchanging the old for the new.

Mr. *Rose* agreed that there would be much inconvenience attendant on calling in the old silver coin; but this was an inconvenience which must be encountered at some time or other. As to the difficulty of detecting bad silver, he believed it would not be found so great as the noble lord imagined. There were persons connected with the mint who could distinguish the good from the bad with great accuracy.

Mr. *F. Lewis* was satisfied it would be desirable to have a coinage in gold of twenty shilling pieces. It had been argued against this, that it would become necessary to re-coin all the guineas. The number of these now in the country had been estimated at half a million. Great inconvenience could not be anticipated from the re-coinage of these. The public convenience would be greatly consulted, by their being accommodated with money of the value he had mentioned. While, however, the bank restriction act continued, he thought any new silver coinage would be likely to be melted down, and disappear as the gold had done in our time, and as it was known the newly coined silver had done in the reign of king William. When the price of bullion was greatly above the mint price, he thought it would always be better to raise the denomination of the coin in circulation, as had been done by the bank tokens, and let it pass current for what it was worth in the market, than by acting on an opposite principle, to lose our metallic circulating medium altogether. A coinage of gold, he was of opinion, ought to be issued, simultaneously with that of silver.

Mr. *Grenfell* thought his noble friend had fallen into a great error, when he supposed the bank to be gainers by the issue of their tokens. At the time the bank tokens were issued, they were worth about 2*s.* 10*d.* each. From the fall which had taken place in the price of silver, the intrinsic value was at the present moment but 2*s.* 4*d.* The bank having issued them when the silver they contained was equal to 2*s.* 10*d.*, the difference between that sum and 3*s.* having been allowed for working them off, and the expense of issuing them, it followed that the bank, compelled now to allow 3*s.* for them, would lose 8*d.* on each token. He was in favour of a coinage of 20*s.* pieces.

Mr. *Thornton*, after showing how heavily the bank would suffer on calling in their tokens, said that he could see no objection to the alteration of the gold coin from the value of 21 to that of 20*s.*

Mr. *Wellesley Pole* said, that it was necessary for him to intrude for a short time upon the indulgence of the House, in consequence of what had fallen from the noble lord, who had thought proper to censure him for remissness in not giving the House further information upon the subject, upon moving the second reading of the bill. He was, he confessed, rather surprised at such a charge; he was sure, that if the noble lord had heard him a few nights ago, when he opened the subject to the House, he would rather have been disposed to find fault with him for entering too much into detail, than for withholding any information which it was in his power to give. However, as the noble lord, and perhaps several other members then present, were not in the House when the resolutions were moved upon which the bill was founded, he would shortly re-state the grounds upon which the measure was introduced, premising, however, that all the noble lord's objections were directed against the details of the measure, and that this was the stage for discussing the principle. The noble lord begun by stating that he had not heard what measures were to be adopted to relieve the public from the loss and the distress which must be felt when the new coin was issued. If the noble lord had been present when he opened the measure, he would have known that that was a subject which had particularly engaged his attention, and that he had stated very fully the means by which he proposed to prevent, or at least to mitigate, the inconvenience as much as possible. It was proposed in about seven months to issue a silver coinage amounting to two millions and a half sterling (sixty-two millions of shillings and sixpences). Previous to bringing this coin into circulation, it was intended to ascertain the amount that might be necessary for supplying the various great towns throughout Great Britain, and it was proposed to deposit such sums as were requisite for the exchange of the coin; an arrangement was in contemplation for a simultaneous issue and exchange. By the adoption of this plan there was every reason to hope, that in a very short time all the old coin would be brought in, and exchanged for new, without any serious inconvenience to the public. He hoped that it might be found practicable to prevent individuals from having more than 15 or 20 miles to go to exchange their silver. With respect to the loss which individuals would sustain, it was impossible to prevent it to a certain extent, because there was such a large quantity of counterfeit coin in circulation; but the persons who would be appointed to exchange the new for the old coin, would receive instructions to act in a liberal manner in receiving the latter, and wherever any doubt really existed, to decide in favour of the public. The noble lord had said that great distress had already been felt upon this subject from the refusal of tradesmen in general to receive the greater part of the coin now in circulation. The fact was, that from the very defective state of the currency of this country, a great deal of French silver had got into circulation, and as it never could have been expected that government would exchange the new silver coin for all the French trash that had been lately imported and mixed with the coin of the realm, it was very natural for persons to refuse taking that, as coin, which they knew they would not be able afterwards to exchange. He lamented the inconvenience which individuals suffered, but it was an evil which it was impossible to remedy, and the longer that French coin was allowed to continue in circulation, the greater the loss would ultimately be. But he begged to assure the House that government had not been inattentive to the loss which individuals would sustain who had what was called coin of the realm in their possession; in many places remedies had already been applied to the evil and he was happy to say that the bank of England had very effectually co-operated with government in their efforts upon this subject. It afforded him great satisfaction to be able to say that all the accounts which had reached him, represented the inconvenience which was felt as much less than could be supposed, certainly much less than he had anticipated. With respect to the question put by the noble lord, relative to bank tokens, they would naturally go out of circulation when the new coin was issued, because they were 21 per cent. under their current value, and the new coin would be only 6 per cent. The bank would take them at their nominal value, and they would probably be sent to the mint to be recoined. The noble lord had fallen into a great error in supposing that the bank would gain by this transaction; it was obvious from the material reduction in the price of silver that the bank must be considerable losers by all their tokens being brought in. But, said the noble lord, they must gain, because they will receive 66 shillings for their pound of silver, instead of 62, consequently they will gain 4 shillings upon every pound of silver bullion which they coin. But if the noble lord had considered for a moment, he would have perceived that the bank could gain nothing by the new coinage, because though the pound of silver would be coined into 66 shillings, yet 4 shillings would be retained for seignorage, and therefore the bank; or any individual who sent bullion to be coined, would only receive 62 shillings as heretofore.—With respect to what had been said about gold 20 shilling pieces, he confessed, that what he had heard had made a great impression upon him. It was a subject which had very much engaged the attention of the committee of coin before they made their report. The committee were strongly impressed with a well founded opinion that our gold coin, reformed as it had been in 1774, stood very high in repute throughout Europe for its accuracy in weight and fineness, and as it was so generally known and approved they were unwilling to make any alteration in the denominations of our gold coin, lest it should affect our exchanges, or create any difficulty or confusion in our mercantile transactions abroad. On that ground, therefore, and also on account of the expense which a re-coinage of the guineas would occasion, they had recommended that no alteration should be made in the gold coin. With respect to the number of guineas at present in the country, it was impossible to form an exact estimate. An hon. bank director had supposed that there were 500,000 guineas in the kingdom, exclusive of what might be in the bank, upon which point the directors had given no opinion. In 1805, lord Liverpool calculated the number at 30 millions. If there were any thing like that number in the kingdom now, the expense of recoining them would certainly be very great. He had, however, no hesitation in stating, after all he had heard upon the subject both in the House and out of doors, that it appeared to him that there was a general wish that 20*s.* pieces should be coined; and he trusted that if the measure were to be adopted, it would not be difficult to produce twenty shilling pieces so different from the old guineas, that the coins might circulate at the same time without any danger of their being mistaken for each other. He should feel it his duty to bring that subject again under the consideration of the committee of coin. An hon. member was correct in stating that there was no novelty in coining twenty shilling pieces. In fact, the guineas up to the year 1718, were denominated twenty shilling pieces in the mint indenture, though they circulated for a great deal more, and rose at one time as high as thirty shillings. At that time both gold and silver were considered as standards of value; and though the legislature interfered at different times, it was found impossible to keep them both in circulation together, almost the whole of the silver coinage of 1695 went out of the country in a very short time. By the plan now adopted, the relative value of the metals was of no importance, if they were to cut the pound of silver into 100 shillings, it would make no difference as long as silver was not considered as the standard of value; but only taken in change to a limited extent.—Mr. Pole then gave a historical account of the gold coins at different periods—the Unit, the Laurel, the Sovereign, the Angel, the Royal, the Guinea, &c.—He would not take up more of the time of the House at present, as the committee was the proper place for details. He was glad to find that there was no difference of opinion upon the principle of the measure, or upon its necessity; and upon the whole, he flattered himself that he should carry it through with as great a degree of unanimity as was ever manifested upon a question of such interest, importance, and difficulty.

Mr. *D. Giddy* thought that government were right in taking a seignorage on the coinage of silver. To prove that they were so, he referred to the fate of Mr. Bolton's excellent copper coinage, which came out twenty years ago, and which was issued at but a little below the market price of copper. The consequence was, the whole of that coin was melted down, and presently disappeared. A copper coinage was afterwards brought out, which was not so nearly equal in value to the market price of copper, and all the fluctuations which had since occurred had not put that coin out of circulation. He wished for a coinage of 20*s.* pieces; he felt gratified at the course pursued by government on this occasion, and considered what they were now doing, as a proof that they were sincere in their professions of anxiety for the resumption of cash payments on the part of the bank.

Mr. *Croker* rose to express his satisfaction that there was now every probability of there being an issue of 20*s.* pieces, because it was a recognition of the principle of applying the decimal division to our coinage. He begged to take this opportunity of remarking, that the whole system of our coins was in the most irregular and unsatisfactory state. We had one measure for weighing our gold by carats, another for our silver by troy weight, and a third for our copper by avoirdupois. Again, the relative proportions of our different coins could not be ascertained but by perpetually resorting to fractions. The measure now before the House would not remove these anomalies. It would, in fact, alter the relative value of every piece of coin in the realm. He did not object to it on that account, but he wished to press on the House, that the present was a most favourable opportunity for giving all the parts of our circulating medium a decimal relation to each other. Perhaps it might be well to follow the example set us by the French. The revolution had enabled them to make a change in their money. We had now a fair opportunity for doing the same. On this subject he would throw out, but with great diffidence, a proposition for the consideration of the House. He should regret deeply if this opportunity were neglected of establishing our coinage upon just principles, when all the other nations of the continent were assimilating their coinage to the decimal arrangement adopted by France. It did so happen at the present moment, that the prices of gold, silver, and copper, bore such a relation to each other, as would easily admit of a new coinage being formed on the decimal scale. It so happened, that if every ounce of gold was to be divided into five parts, each of them would be of the value of twenty shillings of the new coin, and each shilling would be worth ten pence of the present money. The value of an ounce of gold was 99*s.* 7½*d.*; and the pound weight of silver was equal to 80*s.* Thus there was every facility for such an arrangement as that which he proposed, and by which the gold coin would consist of 20*s.* pieces, and the shilling of ten pence. We should then have our coin on the same principle which had been almost universally adopted by our neighbours. He was very sorry that the question had come on at so late a period of the session; but still the advantages of the decimal calculation would be so great, that even if its adoption were to cause some delay in the supply of the new coin, he thought this would be an objection which should be overlooked in attaining so important a point. It would be almost unpardonable for the legislature at this time to re-enact and legalize a-new those barbarisms in the division of our coin which were attended with great inconvenience.

Mr. *Baring* agreed with the hon. gentleman that this would, in some respects, be a most convenient period for adjusting the relative proportions of the coins of the realm. A great deal would be gained towards this object by the issuing of 20*s.* pieces. For his part, he did not attach much importance to the introduction of the decimal calculation in regard to shillings and pence. If we had been to start for the first time with our currency, it would be the most eligible system; but it would take some years before the people became habituated to it; and, after all, the capacity of division by halves and quarters, which attended our shillings, was extremely convenient for the common purposes of life, which, upon the whole, was the best criterion of any system. A great convenience, would, however, be gained by the introduction of 20*s.* pieces. But the observations of the hon. gentleman relative to the principles of a new coinage did not appear quite applicable to the present question. The present measure went upon the principle of abandoning the intrinsic relative value of the silver coinage as compared with the gold standard. On the one hand the shillings were not to have too high an intrinsic value, so as to create a temptation to melt them down; and, on the other, they were not to be so low as to give encouragement to coiners to imitate them. The whole of the system went to disregard the intrinsic value of the coin. One effect of the introduction of 20*s.* pieces would be to throw out the 7*s.* pieces, which were altogether very awkward and inconvenient. The hon. gentleman here adverting to the late bill for the uniformity of weights and measures, said, that all the disputes about ascertaining some unit of measure appeared to him nonsensical and absurd. It did not signify whether you took the Prince Regent's foot for a measure, provided it was uniformly adhered to. Allusions had been made to a remark of his on a former night as to the quantity of gold in circulation. He believed that, generally speaking, there was none in the country, excepting what was in the possession of a few singular people who hoarded it. No possible inconvenience could therefore result from the issue of 20*s.* pieces.

Mr. *Hammersley* considered a decimal division altogether unnecessary.

Mr. *J. P. Grant* thought the question deserved more consideration than seemed to be bestowed upon it. The expense of the new coinage was to be 500,000*l.* Now, it was to be considered whether this was the proper time for incurring such an expense. For his part, he thought it ought not to be incurred until the cessation of the bank restriction act. He regretted that silver had not been taken as the only standard. It seemed to him impossible to keep up any currency at its due value, unless the coin was made to pass by weight as well as by tale. This mode was one which was almost universally adopted on the continent, where it was found to be very advantageous.

Mr. *Marryat* said, that when he was in France two years ago, he was told by the director-general of finance, that so immense was the amount of English guineas melted down in the mint of France, that it was astonishing to him that any remained in this country. He did not think that any inconvenience could result from coining 20*s.* pieces; but he was against the adoption of the decimal division.

Mr. *Grenfell* hoped that the system of brassage would be adopted at the mint.

Mr. *Pole* said, that he was very much against the system of brassage on the principle on which Mr. Locke had opposed the doctrine of Mr. Lowndes; namely, supposing a landlord now received a rent of 44½ guineas from one of his tenants, this was equal exactly to a pound weight of gold. Now if the system of brassage was adopted, it was obvious that instead of this pound of gold to which the landlord was by law entitled, he would receive considerably less; and this he conceived would be great injustice.

Mr. *Bankes* spoke in favour of brassage, and hoped it would not be rejected without consideration.

Mr. *Huskisson* was against the system of brassage. It was very true that this system had been adopted in some other countries; but then our gold coin was so very different from that of other countries, that no argument could be deduced from it.

Mr. *W. Smith* was also against the brassage. He hoped that some means would be devised for lessening the inconvenience which was caused by the shyness as to taking the coin now current.

The bill was then read a second time.

ELGIN MARBLES.] The House having resolved itself into a committee of supply,

Mr. *Bankes*, in calling the attention of the committee to this subject, expressed his regret that it had not been decided when under consideration five years ago. On the present occasion he should not take up much of the time of the committee, as he anticipated some objections to his proposition. Where the reputation of his country was concerned, as in cases where opportunities had occurred of purchasing valuable collections in science or art, calculated to enlighten and improve the taste of the people, even under the pressure of war, the House had never shown an unwillingness to listen to any applications made to them on that account. What large additions had been made to the public stock of valuable monuments of this description in the late French war! He need only refer to the Lansdown manuscripts; and what was more analogous to the present case, the Townleian collection of marbles purchased in 1795, when the war was but recently begun, and there was no prospect of its being soon finished. He wished to remind the House what a large vote had been given in the last session for a national monument to commemorate the glorious battle of Waterloo. In the present session, the House had also voted a monument in commemoration of the victory of Trafalgar, though long since past. He made these preliminary observations, in order to meet the objections of economy, which, he conceived, did not apply in this case. By declining to purchase the Elgin marbles, the public must renounce all right in the thing, and leave my lord Elgin at liberty to deal with any person who offers to purchase. The sort of mixed claim which the public had on lord Elgin, was, he conceived, of this description—they had not a right to take his collection from him by force; but they had a right of pre-emption at a fair price, and to say that it should not be taken out of this country. If he had not heard from gentlemen that it was their intention to oppose the present grant, he should not have thought it necessary—supposing the things good in themselves—to press upon the House, of what great consequence it was to every country, to promote public taste, and public refinement. How could these be better promoted than by making the greatest examples of excellence their own, for the benefit of the public? With respect to the manner in which the Elgin marbles had been acquired, the object certainly could not have been attained, had lord Elgin not been a British ambassador; but it was not solely as a British ambassador that he obtained them. No objection had ever been made to the operations of lord Elgin, either by the government, at Constantinople, or the local authorities; nor did it appear that any person had ever been disgraced or superseded on that account. Not only the local authorities of Athens were favourable, but the natives both Turks and Greeks, assisted as labourers. He had to state confidently that in all the examinations before the committee, of persons who had been at Athens, either at the period of lord Elgin's operations, or shortly afterwards, the uniform tenour of the evidence was, that the natives were not only instrumental in carrying the firmaun into execution, but even pleased with it as the means of bringing money among them. He could therefore say, that there was nothing like spoliation in the case, and that it bore no resemblance to those undue and tyrannical means by which the French had obtained possession of so many treasures of art, which he rejoiced to see again in the possession of their rightful owners. A notion prevailed among some gentlemen, that these treasures also should be restored to their original owners. But how was this to be done? Were they to be taken as public property? Though we had a right of pre-emption, we had no right to take them away from lord Elgin without compensation. Did they mean that they should be purchased from lord Elgin, for the purpose of being shipped back to those who sat no value on them?

Were not these works in a state of constant dilapidation and danger before their removal? The climate was no doubt less severe than our northern one; but still they were then making rapid strides towards decay, and the natives displayed such wanton indifference as to fire at them as marks. They had also been continually suffering, from the parts carried off by enlightened travellers. The greatest desire, too, had been evinced by the government of France to become possessed of them. We found them however here. The public had a right to bargain for them; and it would be a strange neglect of the policy pursued by the House of Commons in all times, and especially during the late war, if they neglected to become possessed of them. With respect to the price, in all works of art, the value might be said to depend on caprice. The most eminent artists had been consulted by the committee; by many they were classed above, and by others little below the highest works obtained since the restoration of art; and for forming a school of art they were considered as absolutely invaluable. The House had some actual data to guide them in the price given for the Townley collection. In point of number, the age to which they belonged, the place from which they were brought and the authenticity of the collection, there could be no doubt that they ranked considerably higher than the Townleian collection. If the Townleian collection was worth 20,000*l.* this was worth at least the 15,000*l.* additional proposed to be given. There was at least one foreign prince extremely desirous of purchasing this collection. The opportunity would not again recur. In no time had so large, so magnificent, and so well authenticated a collection of works of art of the best time, been produced, either in this or in any other country. In Italy the works of ancient art were found in excavations at different places and different times. But here we had at once the whole of the ornaments of the most celebrated temple of Athens. There was another mode of valuing the collection, the expense incurred in making it. He had no doubt that the sum proposed to be given fell considerably within the expense actually incurred by lord Elgin, exclusive of interest. In 1811, 30,000*l.* had been offered by Mr. Perceval, provided lord Elgin could make it appear that his expense amounted to that sum. But considerable additions had been made since 1811, no fewer than eighty cases, containing some of the best works had been since received, and persons who were judges had no doubt that such additions greatly exceeded in value 5,000*l.* Under all these circumstances, he should move, "That 35,000*l.* be granted to his majesty, for the purchase of the Elgin marbles, and that the said sum be issued and paid without any fee or other deduction whatsoever."

Mr. *Curwen* opposed the grant. He cordially joined the hon. gentleman in his sentiments respecting the importance of works of art. The hon. gentleman had referred to the monuments voted for the victims of Waterloo and Trafalgar. He hoped, however, in the present situation of the country, that the House would retrace their steps. No monument could add to the transcendant glory of those victories, or of the heroes engaged in them. A statement had been made the other night, that the expenses of the country exceeded the revenue by nearly 17,000,000*l.* He wished it were possible to controvert this statement. In such a state was it fit to make purchases of this description, however gratifying to a few individuals, at the expense of the nation? He was afraid that we were fast approaching to that course of extravagance with respect to the public money, which had brought to decay the countries where these works of art were produced. Whatever imputations of want of taste and feeling might be thrown out against him, he would say that the House were bound, however much they admired this collection, and it was admired by every man in the House, to refrain from making the purchase at the present moment. Retrenchments of a very different magnitude from any yet witnessed must necessarily be made.

Mr. *J. W. Ward* was as adverse to idle expenditure as the hon. gentleman himself could be, and thought we should not seek occasions for it; yet he considered the present an opportunity of benefiting the public that could not occur again: and it was precisely because it was not against the principle of economy that he voted for the measure. As to the spoliation of Greece that had been so much complained of, no one could be more unwilling than he was that these sacred relics should be taken from that consecrated spot, where they had excited the enthusiasm of ages; no one could have a greater respect than himself for the feelings of nations; but these objects were lying in their own country in a course of destruction: and he wished to consult the feelings of that country by any means short of the actual destruction of specimens so precious. As to the price that had been proposed, it was pretty clear that foreign princes would go to it, if we did not; and it certainly did not exceed the value of the articles.

Mr. *Hammersley* said, he should oppose the resolution on the ground of the dishonesty of the transaction by which the collection was obtained. As to the value of the statues, he was inclined to go as far as the hon. mover, but he was not so enamoured of those headless ladies as to forget another lady, which was justice. If a restitution of these marbles was demanded from this country, was it supposed that our title to them could be supported on the vague words of the firmaun, which only gave authority to remove some small pieces of stone? It was well known that the empress Catharine had entertained the idea of establishing the Archduke Constantine in Greece. If the project of that extraordinary woman should ever be accomplished, and Greece ranked among independent nations with what feelings, would she contemplate the people who had stripped her most celebrated temple of its noblest ornaments? The evidence taken before the committee disproved the assertion that the Turkish government attached no value to these statues. Lord Elgin himself had not been able to gain access to them for his artists, for less than five guineas a day. The member for Northallerton (Mr. Morris) had stated before the committee, that when he had inquired of the governor of Athens whether he would suffer them to be taken away, he had said, that for his own part he preferred the money which was offered him to the statues; but it would be more than his head was worth to part with them. He had also stated, that the pieces thrown down were certainly liable to injury, but that the others were only subject to the waste of time. The Turks (the same witness said) were not in the habit of shooting at them, nor had he heard any instance of that kind. But whether the Turks sat any value on them or no, the question would not be altered, as his objection was founded on the unbecoming manner in which they had been obtained. It was in the evidence of the noble earl himself, that at the time when he had demanded permission to remove these statues, the Turkish government was in a situation to grant any thing which this country might ask, on account of the efforts which we had made against the French in Egypt. It thus appeared that a British ambassador had taken advantage of our success over the French to plunder the city of Athens. The earl of Aberdeen had stated that no private traveller would have been able to have obtained leave to remove them. But the most material evidence respecting the manner in which these statues had been obtained, was that of Dr. Hunt, who stated, that when the firmaun was delivered to the waywode, presents were also given him. It thus appeared that bribery had been employed, and he lamented that the clergyman alluded to should have made himself an agent in the transaction. It was his opinion that we should restore what we had taken away. It had been computed that lord Elgin's expenses had been 74,000*l.*, of which, however, 24,000*l.* was interest of the money expended. A part of the loss of this sum should be suffered to fall on lord Elgin, and a part on the country. It was to be regretted that the government had not restrained this act of spoliation; but, as it had been committed, we should exert ourselves to wipe off the stain, and not place in our museum a monument of our disgrace, but at once return the bribe which our ambassador had received, to his own dishonour and that of the country. He should propose as an amendment, a resolution, which stated—"That this committee having taken into its consideration the manner in which the earl of Elgin became possessed of certain ancient scluptured marbles from Athens, laments that this ambassador did not keep in rememberance that the high and dignified station of representing his sovereign should have made him forbear from availing himself of that character in order to obtain valuable possessions belonging to the government to which he was accredited; and that such forbearance was peculiarly necessary at a moment when that government was expressing high obligations to Great Britain. This committee, however, imputes to the noble earl no venal motive whatever of pecuniary advantage to himself, but on the contrary, believes that he was actuated by a desire to benefit his country, by acquiring for it, at great risk and labour to himself, some of the most valuable specimens in existence of ancient sculpture. This committee, therefore, feels justified, under the particular circumstances of the case, in recommending that 25,000*l*. be offered to the earl of Elgin for the collection in order to recover and keep it together for that government from which it has been improperly taken, and to which this committee is of opinion that a communication should be immediately made, stating, that Great Britain holds these marbles only in trust till they are demanded by the present, or any future, possessors of the city of Athens; and upon such demand, engages, without question or negociation, to restore them, as far as can be effected, to the places from whence they were taken, and that they shall be in the mean time carefully preserved in the British Museum."

Mr. *Croker* was desirous not to take up the time of the committee by entering into the discussion, but he could not help remarking upon one or two of the statements which the last speaker had drawn from the evidence, by reading one part of it, and omitting others which should have been taken in connexion. He had never heard a speech filled with so much tragic pomp and circumstance, concluded with so farcical a resolution. After speaking of the glories of Athens, after haranguing us on the injustice of spoliation, it was rather too much to expect to interest our feelings for the future conqueror of those classic regions, and to contemplate his rights to treasures which we reckoned it flagitious to retain. It did seem extraordinary that we should be required to send back these monuments of art, not for the benefit of those by whom they were formerly possessed, but for the behoof of the descendants of the empress Catherine, who were viewed by the hon. gentleman as the future conquerors of Greece. Spoliation must precede the attainment of them by Russia; and yet, from a horror at spoliation, we were to send them, that they might tempt and reward it! Nay, we were to hold them in trust for the future invader, and to restore them to the possession of the conqueror, when his rapacious and bloody work was executed. Our museum, then, was to be the repository of these monuments for Russia, and our money was to purchase them in order that we might hold them in deposit till she made her demand. The proposition, he would venture to say, was one of the most absurd ever heard in that House. Considerations of economy had been much mixed up with the question of the purchase; and the House had been warned in the present circumstances of the country, not to incur a heavy expense merely to acquire the possession of works of ornament. But who was to pay this expense, and for whose use was the purchase intended? The bargain was for the benefit of the public, for the honour of the nation, for the promotion of national arts, fot the use of the national artists, and even for the advantage of our manufactures, the excellence of which depended on the progress of the arts in the country. It was singular that when 2,500 years ago, Pericles was adorning Athens with those very works, some of which we are now about to acquire, the same cry of economy was raised against him, and the same answer that he then gave might be repeated now, that it was money spent for the use of the people, for the encouragement of arts, the increase of manufactures, the prosperity of trades, and the encouragement of industry; not merely to please the eye of the man of taste, but to create, to stimulate, to guide the exertions of the artist, the mechanic, and even the labourer, and to spread through all the branches of society a spirit of improvement, and the means of a sober and industrious affluence. But he would go the length of saying, that the possession of these precious remains of ancient genius and taste would conduce not only to the perfection of the arts, but to the elevation of our national character, to our opulence, to our substantial greatness. The conduct of the noble earl, who by his meritorious exertions, had given us an opportunity of considering whether we should retain in the country what, if retained, would constitute one of its greatest ornaments, had been made the subject of severe and undeserved censure. No blame had, however, been shown to attach to it after the fullest examination. One of the objects, and the most important object, for which he wished the institution of a committee was, that the transactions by which those works of art were obtained, and imported into this country, might stand clear of all suspicion, and be completely justified in the eyes of the world, and that the conduct of the noble lord implicated might be fully investigated. He (Mr. C.) was entirely acquainted with the noble lord before he became a member of the committee, and could, of course, have no partialities to indulge. What he said for himself, he believed he might say for the other members with whom he acted. They were all perfectly unprejudiced before the inquiry commenced, and all perfectly satisfied before its conclusion. They had come to a unanimous opinion in favour of the noble lord's conduct and claims, and that opinion was unequivocally expressed in the report which was the result of their impartial examination. With regard to the spoliation, the sacrilegious rapacity, on which the last speaker had descanted so freely, he would say a few words in favour of the noble lord, in which he would be borne out by the evidence in the report The noble lord had shown no principle of rapacity. He laid his hand on nothing that could have been preserved in any state of repair: he touched nothing that was not previously in ruins. He went into Greece with no design to commit ravages on her works of art, to carry off her ornaments, to despoil her temples. His first intention was to take drawings of her celebrated architectural monuments, or models of her works of sculpture. This part of his design he had to a certain extent executed, and many drawings and models were found in his collection. Nothing else entered into his contemplation, till he saw that many of the pieces of which his predecessors in this pursuit had taken drawings had entirely disappeared, that some of them were buried in ruins, and others converted into the materials of building. No less than 18 pieces of statuary from the western pediment had been entirely destroyed since the time when M. de Nointel, the French ambassador, had procured his interesting drawings to be made; and when his lordship purchased a house in the ruins of which he expected to find some of them, and had proceeded to dig under its foundation with such a hope, the malicious Turk to whom he had given the purchase-money observed, "The statues you are digging for are pounded into mortar, and I could have told you so before you began your fruitless labour." [Hear, hear!]—Ought not the hon. gentleman who had spoken so much about spoliation to have mentioned this fact? Ought he not to have stated that it was then, and not till then, that lord Elgin resolved to endeavour to save what still remained from such wanton barbarity? Had he read the report, and did he know the circumstances without allowing any apology for the noble earl? Did he not know that many of the articles taken from the Parthenon, were found among its ruins? More than one-third of that noble building was rubbish before he touched it. The hon. member (Mr. Hammersley) had referred to the evidence of the member for Northallerton (Mr. Morrit); but while he quoted one part of it, he had forgotten another, by which that quotation would have been explained and qualified. He had visited Athens in 1796; and when he returned five years afterwards, he found the greatest dilapidations. In his first visit he stated, that there were 8 or ten fragments on the pediment, with a car and horses not entire, but distinguishable: but when he returned, neither car nor horses were to be seen, and all the figures were destroyed but two. If the hon. member, whose statement he was combating, had read the evidence carefully, he would have seen that lord Elgin interfered with nothing that was not already in ruins, or that was threatened with immediate destruction. The temple of Theseus was in a state of great preservation, and, therefore, proceeding on this principle, he had left it as he found it, and only enriched this country with models and drawings taken from it. Much had been said of the manner in which lord Elgin had prostituted his ambassadorial character to obtain possession of the monuments in question. There was no ground for such an imputation. Not a piece had been removed from Athens till lord Elgin had returned, and of course till his official influence ceased. Signor Lucieri was even now employed there under his lordship's orders; and was he still prostituting the ambassadorial character? When his lordship was a prisoner in France, the work was still going on; and was he then prostituting the ambassadorial character? His lordship had remained after his return at his seat in Scotland; and was the character of ambassador injured in his person during his retirement? He (Mr. Croker) might have shown some warmth in defending the opinion of the committee, and removing the imputation thrown upon the noble person whose character had been attacked by the hon. member: but he hoped he would be excused, when the nature of the charges which had excited him were considered. —He could not sit in his place, and hear such terms as dishonesty, plunder, spoliation, bribery, and others of the same kind, applied to the conduct of a British nobleman, who was so far from deserving them that he merited the greatest praise, and to the nature of transactions by which so great a benefit was conferred upon the country, without any ground for a charge of rapacity or spoliation. But if the charges of improper conduct on lord Elgin's part were groundless, the idea of sending them back to the Turks was chimerical and ridiculous. This would be awarding those admirable works the doom of destruction. The work of plunder and dilapidation was proceeding with rapid strides, and we were required again to subject the monuments that we had rescued to its influence. Of 20 statues that decorated the western pediments of the Parthenon, only seven miserable fragments were preserved: yet this part of the building was almost perfect at the beginning of last century; now only a few worthless pieces of marble were preserved—he called them worthless, not as compared with the productions of art in other countries, but in comparison with what had been lost. They would, however, remain to animate the genius and improve the arts of this country, and to constitute in after times a sufficient answer to the speech of the hon. member, or of any one else who should use his arguments, if indeed such arguments could be supposed to be repeated, or to be heard beyond the bottle hour in which they were made

Mr. Serjeant *Best* conceived that lord Elgin had not acted as he ought to have done, whatever opinion might be entertained of the works of art which he had been the means of importing into this country. He regarded the improvement of national taste much, but he valued the preservation of national honour still more. He could not approve of a representative of his majesty laying himself under obligations to a foreign court, to which he was sent to watch the interests and maintain the honour of the country. Such an officer should be independent, as by his independence alone he could perform his duty. He had obtained the firmaun out of favour, and had used it contrary to the intention with which it was granted. What would be thought of an ambassador at an European court, who should lay himself under obligations by receiving a sum to the amount of 35,000*l.*? But even the firmaun lord Elgin had obtained did not warrant him to do as he had done. The firmaun could do nothing without bribery. Could the words in which it was written admit the construction that was put upon them? It merely gave a power to view, to contemplate and design them. Did this mean that these works were to be viewed and contemplated with the design of being pulled down and removed? Lord Elgin himself did not say that he had authority to carry off any thing by means of the firmaun. His lordship was himself the best interpreter of the instrument by which he acted, and he was here an interpreter against himself. If he erred, he erred therefore knowingly, though his design might be excusable or praiseworthy. Dr. Hunt's evidence had been quoted, to show that his lordship had authority from the waywode of Athens for what he had done, but his words would not bear such an interpretation. Dr. Hunt said only that the waywode was induced to allow the construction put upon the instrument by lord Elgin. The powerful argument by which the waywode was induced to allow the construction alluded to, consisted in a present of a brilliant lustre, fire-arms, and other articles of English manufacture. But were these the arguments that ought to have been used by a British ambassador? Was he to be permitted to corrupt the fidelity of a subject of another state—the servant of a government in alliance with our own, and under obligations to us? But it had been said that if the works of art had not been brought here, they would have been destroyed by the Turks. This would not have been the alternative. The Turks would have been taught to value these monuments, had they seen strangers admiring them, and travellers coming from distant countries to do them homage. They could not but now learn their value, after they were deprived of them, by hearing that 35,000*l.* had been paid for them to the person who imported them to England. It had been said that lord Elgin would advance the arts by lodging these remains of antiquity in a country where eminence in arts was studiously attempted. This he denied, or at least thought doubtful. Such works always appeared best in the places to which they were originally fitted. Besides, with this example of plunder before their eyes, the Turks would be a little more cautious in future whom they admitted to see their ornaments. These marbles had been brought to this country in breach of good faith. He therefore could not consent to their purchase, lest by so doing he should render himself a partaker in the guilt of spoliation. He did not object to the bargain on the ground of economy, but of justice.

Mr. *Wynn* was not aware of the transaction being so flagitious as it was said to be. He equally disliked the idea being entertained that we had got them by bribery. Every person who knew the Turkish character must be sensible that when they gave any thing away it was with the view of receiving an equivalent. He could not condemn the transaction on the ground of the marbles being a gift from a foreign government, and therefore affording a bad precedent; for he did not think that a gift of 35,000*l.* purchased at an expense of 64,000*l.* was a precedent likely to be much followed. On the principle of economy he knew it was the duty of the House to act, but economy was often ill-judged, and very much misapplied. Considering them a valuable accession in every point of view, and that the same opportunity might never recur, he had no objection to the grant.

Sir *J. Newport* would vote against the motion, even if the country were in affluent circumstances, on account of the unjustifiable nature of the transaction by which the marbles in question were acquired.

Mr. *C. Long* said, he was ready to agree in all the objections founded upon the unfitness of the time for any acts of lavish expenditure; but the present was an occasion, which could not again present itself, of acquiring for the country these exquisite specimens of art. It was fair to say that the purchase of these precious remains of antiquity was for the gratification of the few, at the expense of the many. The amendment of the hon. gentleman was somewhat inconsistent with his professions of economy, for he proposed to give 25,000*l.* to lord Elgin, for obtaining these marbles dishonestly, and then to send them back to those who would not thank them for their trouble.

Lord *Milton* was aware that an apology might be expected from all those who objected to a grant that was to put the country in possession of these invaluable monuments of ancient art. He could not, however, agree that they had been acquired consistently with the strict rules of morality. They appeared to him to have been obtained by lord Elgin through his influence as ambassador from this country, and it was not unnatural that the Turkish government should view with suspicion a national purchase arising out of such circumstances. The objection to the purchase he should deem niggardly and ill-advised at any other time; but the present was one of peculiar distress, and one in which the want of subsistence was the cause of riot and disturbances in many parts of the country.

Mr. *P. Moore* said, the hon. gentleman who had talked of this being the last opportunity, reminded him of the auctioneer's cry of "going, going, gone." He desired to know whether any offer had been made for these marbles by a foreign power; and whether they were not in fact under sequestration at present by government for a debt due to the Crown by lord Elgin.

Mr. *Brougham* considered that there was no doubt as to the desirableness of our possessing these interesting monuments, from their general tendency to improve the arts. The only question upon which he hesitated was, whether we could afford to buy them. The purchase-money, they were told, was but 35,000*l.*; but he apprehended that, when purchased, it would be necessary to build a proper receptacle for them, and the whole expense might be estimated at 70 or 80,000*l.* Had we, then, this money at present in our pockets, with which to gratify ourselves by so desirable a possession? The stronger the temptation was to this purchase, the greater satisfaction he felt in redeeming his share of the pledge given to the country, that no unnecessary expenditure should be incurred.

Mr. *J. P. Grant* declared in favour of the original motion, observing, that that would be a mistaken economy, as well as bad taste, which would deprive this country of such valuable works of art as lord Elgin had collected.

The House divided: For the original Motion, 82; Against it, 30.

HOUSE OF COMMONS.

Monday, June 10.

STAGE COACHES BILL.] The *Attorney General* moved for leave to bring in a bill, the object of which was the protection of the lives and limbs of his majesty's subjects, by correcting the enormous abuses of stage-coach drivers. Within these few days it would be hardly credible what a number of applications he had received on this subject. Some accounts were enough to freeze one with horror. A gentleman of veracity had informed him that on Tuesday, the 21st of May, at half-past five, the Trafalgar and Regulator coaches set off from Manchester, and got to Liverpool 20 minutes after eight, doing this journey in two hours and fifty minutes, at the rate of 12 miles an hour. The coachmen flogged their horses all the way down a hill of a mile at the entrance to Liverpool, and in getting into the town one of them ran for a considerable time on only two of its wheels: luckily no accident happened. At present the magistrates could impose a fine of 10*l.*; but the proprietors generally attended, paid the money, and told the coachman that, as he had beaten the opposition, he might do so again. Cases of desperate driving had occurred, when a passenger refused to be driven at such a dangerous rate, and insisted on getting out, and being accommodated with a post chaise; but the answer was, you can have no chaise, as the contract is to carry you to such a place within a certain time. The weight placed on the tops of coaches was an important consideration, and it was useless to trust this to the driver's discretion. He should not now include that subject in his bill; but was ready to assist in any measures for the purpose of correcting evils of this kind. He wished to give the magistrate the power of imprisoning for three, and not less than one month in atrocious cases, leaving the offending party the right of appeal to the quarter sessions. He then moved, "That leave be given to bring in a bill for the more effectual prevention of the mischief occasioned by the inconsiderate driving of stage coaches, and other public conveyances."

Mr. *Grenfell*, alluding to the number of persons allowed to be carried on the outside of stage coaches, observed, that the law on this subject was daily infringed, and asked whether the learned gentleman meant to introduce any clause in his bill on this subject.

The *Attorney General* admitted the propriety of some further strictness on this subject. Perhaps the turnpike-keeper ought to be fined for letting such overloaded coaches pass.

Leave was given to bring in the bill.

REVISION OF THE STATUTES.] The Resolutions of the Lords being read, the question on the amendment proposed for extending the classification of the Statutes to Scotland and Ireland, as well as England, was put.

Mr. *Horner* asked, whether it was proposed to make a new arrangement of all the statutes, and re-enact the whole in one statute next session? Or was it only an index that was intended? The first mode appeared extremely inconvenient, as it would require all the wisdom of the law to overcome the difficulties of such an arrangement. There should be a publication by parliamentary authority of all the statutes, preliminary to ordering of a classification, digest, or index.

Mr. *Bathurst* said, that the proceeding came from the Lords, and he apprehended the object was to procure, by some convenient arrangement, a consolidation of various statutes: but he did not understand that any one believed that the whole of the statutes could be systematized and reduced under certain particular heads. He had always thought that the statutes, in some branches of the law, might be reduced into a body, much to the general convenience.

Mr. *Bankes* thought the plan would occasion much expense, without immediate utility. It might be better to adopt it at some future time; as our statutes were not at present in a sufficiently perfect state. When the text was corrected, then we might make a proper index, and that might be all that would be necessary. He moved, that the debate be adjourned to that day three months.

The *Attorney General* thought it would not be treating the other House respectfully to decide without sending them any answer.

Mr. *Wynn* stated the great difficulties attending the consideration of so many statutes, with all their bearings and references, which must be most carefully looked through. He could not tell what plan was proposed; but he thought it ought to be laid before the House in detail, before they could proceed in the measure.

Mr. *Abercrombie* supported the amendment.

Mr. *Brougham* said, that a work was far advanced, under the management of that eminent lawyer, Mr. Evans of Manchester, which would embrace the object of the measure now proposed to the House.

Mr. *Ponsonby* did not understand what was the object in view. What was it that the other House wished them to do.

The House divided: For the Amendment, 26: Against it, 60. The following Resolution was then agreed to: viz. "That this House doth agree with the Lords in the said resolution so amended, That from the present state of the statute law of this realm, it is highly expedient that effectual measures should be taken to arrange the matters contained in the statutes of the united kingdom of Great Britain and Ireland, and in the statutes passed in the separate parliaments of England, Scotland, and Ireland, respectively under distinct and proper heads."

ALGERINE PIRATES.] Mr. *Brougham* wished to ask whether it was true that lord Exmouth had concluded a treaty with the dey of Algiers, stipulating, among other points, for the ransom of the Sardinian and Neapolitan prisoners?

Lord *Castlereagh* replied, that an arrangement had been concluded by lord Exmouth with the dey of Algiers, on the part of the powers alluded to, by which those powers were to be placed on the same footing with regard to Algiers as other friendly powers.

Mr. *Brougham* wished to be informed whether it was not stipulated in the treaty, that a certain ransom should be paid, he would not say for British subjects, but for the subjects of powers in alliance with, and under the protection of Great Britain? And if so, how far were we responsible for such ransom?

Lord *Castlereagh* replied, that such stipulations had been made, but not without the authority of the other powers, who, and not we, had made the guarantee, as principals in the negociation which we had effected.

Mr. *Brougham* asked whether the noble lord had any objection to the production of this treaty?

Lord *Castlereagh* answered, that he should have no objection to communicate it at the proper moment.

IRISH GRAND JURIES BILL.] On the order of the day for the second reading of this bill,

Mr. *Barry* expressed his doubt as to the expediency of rendering *vivâ voce* examination necessary before a grand jury, in order to the finding of a bill. There were cases in which a grand jury, could not find a bill, because they could not have the *vivâ voce* examination which it rendered necessary. The one case was where a man had been murdered, and who only survived his wounds time enough to give a written deposition as to the identity of his murderers. In this case a grand jury could not find a bill, because they could not have *vivâ voce* examination. The other case was where a man had been indicted on his own confession, which he might afterwards retract. On these grounds, and the general inexpediency of the bill, he should move that it be read a second time "this day three months."

Sir *F. Flood* contended, that the bill was unnecessary, and would imply a censure on the past conduct of grand juries in Ireland.

Mr. *Peel* defended the principle of the bill. If there were any objections to the minor details of the bill, they could be easily removed in the committee.

Lord *Castlereagh* would give his support to the bill, if he understood it rightly. He wished that the laws of the two countries should be assimilated as much as possible, where no practical inconvenience would be likely to result. But he had some doubt whether the bill would be productive of much advantage, if the information sworn before the magistrate were not also sent to the grand jury with the indictment. Without this he thought it would be difficult to come at the truth, for frequently a different statement was given before the jury from what was laid before the magistrate. He also wished to be informed, whether it was intended to introduce a clause, by which a person giving a different statement to the grand jury from what he had given in his first information, should be indicted for perjury? Unless this were done, a great opening would be given to persons to commit perjury with impunity.

Mr. *Horner* said, there could be no doubt if a witness gave false testimony before a grand jury that he could be tried for perjury, and convicted on the evidence of grand jurors. In an indictment for a malicious prosecution, it was stated by the late Mr. Justice Buller, that the oath of a grand juror was intended for the furtherance of justice, and not to stand in the way of it. The other question went more to the manner in which the bill would be carried into effect. The information could not be considered as evidence—it was not on oath—and in England no such evidence ever reached a grand jury. At the same time it might be hard to deprive a grand jury of all assistance derived from information. He thought it would be better, therefore, to leave it to the discretion of judges, when the strict rule of law might be relaxed.

Mr. *Webber* stated, that he had conversed with most of the judges, grand jurors, and lawyers in Ireland, on the subject of the present bill, all of whom were of opinion that it would lead to confusion in the administration of justice.

Sir *John Stewart* was convinced that the bill would have the effect of greatly lessening the number of trials in Ireland, and therefore he should give it his cordial support.

Mr. *Abercrombie* defended the bill, and quoted the opinion of baron George, one of the Irish judges, and several other high authorities, in its favour. He hailed the measure as one of the mort important steps to restore tranquillity in Ireland.

Mr. *W. Pole* approved of the principle of the bill, but wished some alterations to be made, which could be effected in its progress through the House.

Sir *J. Newport* supported the bill, because he thought that as the law stood, the party accused in Ireland had not the same protection extended to him as in this country.

Mr. *Ponsonby* did not understand why the English law might not be executed in Ireland as well as in England, if it was extended to that country. The jobs and corruption of the grand juries were well understood by the lower classes in Ireland, and had very much prejudiced them against the administration of the law in general.

Mr. *Curwen* thought it would be improper to prejudice the minds of the grand jury by suffering the information taken before the magistrates to go before them.

The House divided: For the original Motion, 50; For the Amendment, 10. The bill was read a second time.

PUBLIC REVENUES CONSOLIDATION BILL.] The House having resolved itself into a committee on this bill,

Sir *H. Parnell* objected to the provision of the bill which created two new lords of the treasury. He acknowledged that the chancellor of the exchequer would want some additional assistance, but this assistance would not be given by the creation of two new lords, whose places were mere sinecures. He should propose some amendment, by which an additional secretary, or some other officer, should be appointed instead of these two lords. Another officer was to be appointed by the name of vice-treasurer. This officer was to be allowed to sit in parliament, for which he saw no reason, as the object for which he was to be appointed was, that there should always be an officer of the treasury residing in Ireland authorized to issue money. The vice-treasurer was authorized to issue money under the order of the lord lieutenant. He thought this would defeat the object of the bill, which was to keep the issue of all money throughout the kingdom under the control of the treasury of Great Britain. He wished also to know whether any regulation was to be made as to the appointment of the officers under the different revenue boards? By law in Ireland the appointment of the different officers under the three boards of excise, customs, and stamps, should be appointed by three commissioners, with the authority of the lord lieutenant; but the fact was that these officers were appointed by the lord lieutenant, frequently without consulting the boards at all.

The *Chancellor of the Exchequer* said, that the hon. baronet must have known, that, for many years, the board of treasury in England had been so overwhelmed by business as to be almost incessantly employed, and, in fact, to have been obliged to give up those periods of relaxation, to which, in former times, they were considered entitled. Under these circumstances, when the accession of labour which the Irish business would bring was considered, it could not be deemed unreasonable to obtain some additional assistance, and therefore it was determined to select two new lords from those persons who were best acquainted with the subject of Irish finance. It should be recollected that this increase to the English treasury board was but trifling, compared with the diminution which took place in the Irish treasury, which, exclusive of the chancellor of the exchequer, had consisted of five lords of the treasury. The additional emolument of the English chancellor of the exchequer, on receiving the Irish seal, would be only what the fees of the seal produced, namely, about 1,000*l.* a year. With respect to the observations which the hon. baronet had made on the influence which the lord lieutenant had on the issues of money by the vice-treasurer, he begged to remark, that the lord lieutenant had no power whatever to grant money of himself—these points being, of necessity, under the control of parliament, or the board of treasury in this country. In fact, on whatever occasions he acted with respect to the issue of money, he did so rather ministerially than discretionary. Another point in the bill was the salary which it would be proper to give the vice-treasurer. When the dignity and importance of this officer was considered, he thought his salary could not be less than 3,500*l.* a year. The hon. baronet had asked why the vice-treasurer should be permitted to sit in parliament? As an officer of rank and condition, he thought he ought not to be excluded from the House, but, on the contrary, should be a person capable of adorning this or the other House of Parliament. With respect to the patronage at present vested in the lord lieutenant, to appoint officers to the different boards, it was not intended to deprive him of that privilege. The same patronage was vested in the board of treasury in this country, with respect to all the boards, except the board of excise. He had only to add, that it was his intention to introduce a clause in the bill to enable the vice-treasurer to do his duty by deputy, when occasion might require.

Sir *John Newport* stated, that his principal objection to the plan was, in the first place, that it created the new appointment of a vice-treasurer for Ireland. He could not at all conceive any functions arising out of such a capacity which could deserve the remuneration of 3,500*l.* a year, and a seat in that House.

Mr. *Peel* said, he was always ready to argue that the right of appointment to offices under the revenue in Ireland ought to rest in the treasury board of that country. It was, in fact, an office as strictly appertaining to Ireland as the executive functions of its government, or the office which he himself had the honour to hold, and which was generally admitted to require his presence in that House.

Mr. *Ponsonby* regarded the proposed measure, by which a new office was to be created, the duties of which were to be discharged by a deputy, whilst the principal sat in that House, as nothing less than an insult to the public in this season of national distress.

The *Chancellor of the Exchequer* remarked, that the office of vice-treasurer was one of considerable antiquity.

Mr. *Wynn* approved of an increase of salary to the chancellor of the exchequer for the united empire. It was obvious that the increase of duty demanded an increase of salary. He condemned, however, the proposed salary of the vice-treasurer, as he judged that office to be a mere sinecure, and he saw no reason why a person filling that office should be a member of parliament.

Mr. *Bankes* said, that whatever station the vice-treasurer was taken out of, it was right that he should execute the duties of his new situation himself. He also thought that this being a new office, the person who filled it ought not to have a seat in that House. If no other person took up this point, he would, in the proper stage, move an amendment, embracing the principle he had just laid down.

The *Chancellor of the Exchequer* said, it had been in contemplation to allow some compensation to the clerks who might be dismissed, but the number had not yet been determined.

Mr. *Bankes* was of opinion, that the officers of the Irish treasury, whose services would be done away by this bill, should be transferred to England, and be employed in the treasury department of this country.

Mr. *Vesey Fitzgerald* said, that he had always hoped that the old and faithful officers of that department would receive compensation for their offices, the only reward they could receive, perhaps, for the services they had performed. It was his duty to bear testimony to their meritorious conduct. The House would never think of transferring them to the treasury of England. To oblige them to leave their families and their homes, would be an excessive hardship. As to one of those officers, a gentleman holding the highest rank among them (Mr. Crofton) his advanced time of life made it impossible to hope for his services in England, or even in his own country, in an office more eminent, such as he was qualified to fill; that gentleman had been more than 36 years in the public service, and a man of higher honour, of integrity more spotless, of a fidelity more distinguished, or of an equal zeal in the public service, he had never known.

Sir *John Newport* was anxious to express his entire concurrence in what had fallen from the right hon. gentleman respecting Mr. Crofton. He was convinced that there was not in England, in Ireland, or in any other country, a better or more efficient public officer than that gentleman.

The bill went through the committee.

HOUSE OF LORDS.

Tuesday, June 11.

Petitions of the Irish Catholics.] The Earl of *Donoughmore* said, that having communicated with those noble lords, whose co-operation he was most anxious to secure on the discussion of the petitions, which his Catholic countrymen had confided to him, he should proceed to discharge his duty to the petitioners, by presenting their petitions to the House, and suggesting a day for the consideration of them. Conceiving it to be the universal wish of the Catholics, that their case should obtain a full discussion during the present session, he should have thought it his duty, unless some very cogent arguments could be urged on the other side, to have conformed himself to what he considered to be the unequivocal feeling of the parties, so deeply interested as they were, without any reference to what his own particular opinions might be. In the present instance, however, their feelings entirely coincided with his own; and he could not conceive any time more opportune than the present, not for considering only, but for putting for ever at rest, by just concession, that question, which had been already too long suffered to contribute to the perpetual irritation of the Catholic mind. Under this impression, he was adverse to any unnecessary forestalling of those arguments, for the use of which the proper time would so speedily arrive. But the appearance before parliament of two new classes of petitioners, for the first time; and the peculiar circumstances under which both these petions were framed, made it necessary for him to call the attention of their lordships, at once, to those particular features by which they were distinguished from former petitions. The first of this new class of petitions, in point of time, was that which, from its having been originally considered and framed at lord Trimleston's house, was generally denominated by his lordship's name. These petitioners, having amongst them all the English Roman Catholic peers, and a considerable number of other persons of great respectability, had thought it proper to express "their readiness to submit and conform to any regulations, not incompatible with the principles of their religion, as they respected its faith and discipline, and not threatening danger to the purity and permanence of its exercise; and to say, moreover, that they had great satisfaction in the conviction, that conciliatory arrangements might be settled, fully satisfactory to all his majesty's subjects." The other class of petitioners, who had appeared there for the first time, were not of a less respectable description, viz. the bishops and clergy professing the Roman Catholic religion in Ireland. Their petition puts a decided negative upon that species of security, so well known under the denomination of the Veto; and they reject any interference with the appointments of Irish Catholic bishops on the part of the ministers of the Crown. But they suggest another species of security; and, as they trust, an effectual one against all the terrors of foreign influence. To this proposition of theirs—which is no other than that of domestic nomination, or the appointment to the vacant bishopric, by election, in the respective deans and chapters—they state their conviction, that they will be enabled to obtain the consent of the spiritual head of their church, and his engagement to withhold, in no case, the spiritual faculties from the persons so appointed. Such would, of course, be the species of security, desirable above any other, and subject to no manner of objection or cavil. Having thus described in what these two latter petitions differed from those which it had been his duty so frequently to present to that House, he would remind their lordships, that these petitions were, in the first place, that of the general body, denominated at all times the Petition of the Catholics of Ireland. Of this petition, those of Cork, Roscommon, and Galway, were in all respects counterparts; the two first mentioned being conceived in the same terms. These petitions are contained in the fewest possible words, and are confined to a mere statement of the existing grievances, and a solicitation for redress. They put no negative upon any species of security. Possibly because they do not conceive that any new security is necessary, or ought to be demanded from them, as a barter for the restoration of commercial privileges. Upon the subject of the petition of the bishops and clergy, professing the Roman Catholic religion in Ireland, he had felt it the more necessary to advert, from its having been entirely unnoticed in the late discussions in another place. To what principle or feeling could he attribute such unmerited neglect, in the case of a class of men who were universally acknowledged to have deserved so well; and than whom he did not know, in the whole range of the servants of the state, any number of individuals, who had more justly entitled themselves, by their blameless lives and exemplary discharge of a great public duty, to the greatest possible respect and reverence?—He then presented his several petitions, which were read. He next moved, that the said petitions be taken into consideration on the 21st instant, and that their lordships be summoned.—Agreed to.

PETITION OF THE ENGLISH CATHOLICS.] Earl *Grey* said, the petition which he was about to offer to their lordships' attention prayed for the same measure of relief as was solicited by those who signed the various petitions which had been presented by his noble friend. It was a petition from those persons who professed the Roman Catholic religion in Great Britain, and was signed by the duke of Norfolk, the earl of Shrewsbury, lord Clifford, and all the other Catholic peers of this country; persons whom he saw with regret excluded from those seats in that House which their ancestors held with so much advantage to the state, and with so much honour to themselves. It was signed also by several gentlemen of most ancient and respectable families, and by a number of other individuals professing the Catholic faith, forming altogether a substantial representation of the Catholic body throughout the kingdom. If the petition was less numerously signed than those which had heretofore been presented, the circumstance arose solely from its not being thought necessary to convene any general meeting. There was no other reason for that diminution of names, for the circumstances of hardship, of pressing and peculiar hardship, under which they laboured, remained unaltered. With regard to the petition itself, it was couched in language moderate and respectful: it alleged firmly, but feelingly, the grievances endured by the petitioner, expressed their gratitude for the repeated and patient discussions which their case had undergone at former periods, and their reliance upon the wisdom and justice of their lordships for the ultimate success of their claims. Such was the object and such the character of the petition he then had the honour to present to their lordships, and in once more performing that duty, he would not say that he did not feel considerable pain in reflecting how often and how fruitlessly he had called their lordships attention to the same subject, and that he now, after a series of years, stood up again to make the same appeal, to the humanity, the wisdom, and the justice of their lordships, in behalf of the Roman Catholics of England. He could not, indeed, reflect without deep regret upon the circumstance, that notwithstanding all those appeals, their lordships had not yet been prevailed upon to advance a single step in the way of any legislative provision, towards affording relief to that most respectable body, who, if they were marked and distinguished as a proscribed cast, cut off from the benefits of that constitution, which the blood of their ancestors had been shed in obtaining and securing, were not less marked and distinguished by their general good conduct, by their undeviating loyalty, by their peaceable demeanour, and by their active zeal and uniform support of the throne and constitution, in every way that it was possible for them to manifest their ardour and their patriotism. It was, indeed, a peculiar characteristic of the disabilities under which they laboured, that while they were excluded from participating in all the benefits of our constitution, the state, in its greatest and most imminent emergencies, was deprived of the services of a class of men so well qualified, and so well disposed to defend it against every attack of its enemies, whether foreign or domestic. It was not his intention to contrast the situation of the Catholics of Great Britain with that of the Catholics of Canada, or of other territories annexed to the British Crown, where, by the constitution under which those dependencies were held, the civil rights of all classes of the inhabitants were equally secured, whether they happened to be Catholics or Protestants. At the same time, however, he should be prepared, when the proper moment arrived, to assert the claim of the former to the same full and comprehensive relief, and to contend that nothing short of it either could or ought to satisfy them. What he at present wished to press upon their lordships attention, was, that even in the United Kingdoms, the Catholics of Great Britain were materially worse, in their political condition, than the Catholics of the sister island. It was true, that by the acts of the 18th and 31st of the King, a partial relief had been afforded to the English Catholics. But those laws, which ought to have been regarded only as a preliminary step to complete and thorough emancipation, still left them in a situation much worse than that of the Irish Catholics, who, by subsequent acts of the legislature, were admitted to a large share in the benefits of the constitution. In Ireland the Catholics could serve in all the ranks of the army, except that of a general on the staff. In England, every rank in the army was shut against them. With respect to the navy, the cases of the Catholics of the two countries were similar: for as Ireland had no navy, no provision was made to allow the Irish Catholic to serve in it. From the British navy, therefore, the Catholics of England and Ireland were alike excluded, so far as related to the obtaining of rank. While upon this subject, he would mention to their lordships a case of peculiar hardship resulting from those disabilities under which the Catholics laboured; he alluded to the case of captain Wright, an officer who had spent twenty years in the service of his country. During that period he had eminently distinguished himself on various occasions. He had been engaged also in many minor actions, and on one occasion he was employed to lead a detachment of boats to the attack of a battery. In executing that duty, his gallantry and zeal obtained him an honourable mention in the dispatches which were sent home; and in consequence of that and other testimonials of his good conduct, the lords of the admiralty promoted him to the rank of a master and commander. He was ordered to proceed to Cork to take up his commission, but when he arrived there he found that he could not do so without taking an oath, abjuring his religion. At that step his conscience revolted, and the consequence was, that the commission, which he considered as a reward for past services, and as holding out the opportunity for future was withheld from him. Nor was that all, for he also lost his half-pay, and he saw himself reduced to the necessity of leaving Cork—"The world was all before him, where to choose his place of rest." There were other circumstances, in the history of that individual, which rendered his case still more interesting. He had six brothers in the service, all of whom had lost their lives in defence of their country. He did not bring it forward, however, as constituting a contrast between the English and the Irish Catholics, but merely as establishing a strange and cruel anomaly in our laws. With respect to the relative immunities enjoyed by the Catholics of the two countries, it was further to be observed, that the English Catholics were excluded from all corporations, and could not graduate in any of our universities. In Ireland the case was different. Here they were excluded from holding a commission in the peace; in Ireland they were eligible to the magistracy. In Ireland also they enjoyed the elective franchise; but in England that proud boast, that main pillar of our constitution, that security of our civil rights was denied to the Catholics. He would ask what crime had been committed by the English Catholics, that they deserved the infliction of that penalty? What was their guilt, what was their offence? The noble earl here instanced the cases of several of the Catholic gentry who had tendered their votes at elections, and which had been refused. He would not plead their merits against that proscription; he would not refer to their exemplary patience under the most humiliating privations, to their persevering loyalty, or to their attachment to the constitution, but he would repeat again and again, what charge of delinquency could be urged to justify such a persecution? He trusted that the time was now come, when their case would be taken into consideration, at least so far as to extend to them the same privileges and benefits as were enjoyed by the Roman Catholics of Ireland. In speaking, however, of that particular and limited relief, though he should be glad to see it granted, yet he should undoubtedly regard it as far short of what ought to be given, and what they ought to require; and if such a proposal were made at all, it must come from others, for he would never consent to ask for them any thing, but that full measure of justice and right, which they were entitled to claim. He could not help calling their lordships most serious attention to the peculiarly favourable circumstances of the present time for effecting that object upon a liberal and comprehensive scale. Most of the objections which were formerly urged against the measure were now either much altered or wholly removed. There was no longer any preponderating Catholic power in Europe, whose ascendency this country had any reason to dread. There was no longer any claimant to the Crown of these realms, professing the Catholic religion, nor any faction at home looking to that claimant, with expectation of success, and the hope of profiting by it. There was, on the contrary, in the general body of the Catholics of both countries, notwithstanding the repeated delays, the undeserved disappointments, and the irritation consequent upon both, a disposition to concur in any measures of conciliation which the government might propose, consistently with their religious scruples. With respect to the English Catholics in particular, that could not be doubted. As a proof of their disposition, in 1810 they came to a resolution, stating they were willing to refer their claims to the wisdom and justice of the legislature, trusting that nothing would be proposed to them incompatible with the faith and discipline of their religion. That resolution they afterwards embodied in a petition, which he had the honour to present to their lordships. With regard to the Catholics of Ireland, they had that night heard several petitions read, one of which, in particular, placed the question precisely upon the same ground. Another of those petitions (that from the bishops and clergy of Ireland), he freely owned, he wished had not been presented. Whatever might be the objections felt by that most respectable body to any particular mode of securities, he could have wished had been reserved till that mode was proposed, and that the difficulties had not been anticipated. The great security he looked for, and the only security in fact upon which he placed any reliance, was to be found in the harmony and affection which would be produced by the measure of conciliation. Those petitions, however, taken altogether, afforded a convincing proof, that in Ireland a better disposition existed towards a final and amicable adjustment than what prevailed heretofore; and all those circumstances he considered as extremely favourable to an immediate consideration of the subject. He therefore called upon his majesty's ministers, and especially upon the noble earl opposite, to consider what must be the situation of the country if the question were much longer delayed. It was, indeed, well known that many members of the present government were deeply pledged upon the subject, and he intreated the noble earl, with no hostile voice, with no party spirit, to reflect whether the question could remain in its present state, consistently with the honour of the government or the safety of the country. He remembered that, in the year 1810, the noble earl stated, with that candour and sincerity which distinguished him in every discussion, his utter disbelief that the Catholics entertained any of those monstrous doctrines which were imputed to them. He admitted that their solemn disavowal of such principles was to him completely satisfactory, and upon that ground he allowed that the question of Catholic emancipation was much narrowed. At a later period, in the year 1812, in a letter which the noble earl addressed to a noble marquis (Wellesley), he still more distinctly stated the grounds of his objection to a consideration of the Catholic claims. The first of those grounds related to the conduct and temper of the Catholics themselves; the second to the principle of right assumed, or said to be assumed, by them; and the last referred to the situation in which Europe was at that time placed. To the first of those objections he apprehended a sufficient answer was now given, by the petitions that night presented. The English Catholics were open to no such imputation as to their temper and conduct; and in the Irish Catholics there appeared a disposition to an amicable arrangement, which, if taken advantage of, might lead to the most fortunate results. With respect to the second objection, he considered that also as removed. If ever the right was asserted, the principle was now in a great measure abandoned. He did not mean to enter into a disquisition upon the nature of that right; but he had no hesitation in saying that, in considering the principles of religious liberty, he was a firm and unshaken advocate for its full and entire freedom. The human conscience was the province of God, and man was guilty of an act of impiety when he interfered with its scruples. Yet he must state, with regard to religious as well as to civil liberty, that they both depended in some degree upon the safety and interest of the state for the extent of their enjoyment. But every restraint upon either which did not clearly arise from public necessity, was impolitic and unjust. That was the principle which he had always maintained, and it was one, he apprehended, which would not be contested. Resting upon that principle, therefore, he was prepared to affirm that the second objection of the noble earl was equally obviated. The third objection related to the situation of Europe at that time, when the head of the Catholic church was subjected not merely to the influence, but was absolutely under the control of that man whose power swayed not only France, but the whole of Europe. That power, thank God, was now broken down, and he did not suppose it would be urged that the one by which it was replaced was likely to exert itself in conjunction with the head of the church against this country. That objection, therefore, was also removed; and what could now be pleaded against entering upon a consideration of the claims of the Catholics? We had, indeed, the admission of the government itself, that nothing was to be apprehended from the influence of the pope. In the treaty by which the kingdom of the Netherlands was incorporated with Holland, a treaty negociated with the express sanction, and under the immediate interference of a British minister, a treaty uniting a Protestant government with a Roman Catholic annexation, it was solemnly stipulated, that no difference of religious faith should be allowed to operate against the people, but that they should be all equally eligible to offices in the state, whatever their tenets might be. It was thus admitted by us, not only that Catholics might be admitted to all the benefits of a Protestant government without any danger, but that their admission would be conducive to the general interests and security of the world. He hoped their lordships would bear that circumstance in mind, and compare it with the policy which we pursued towards the Roman Catholics of England and Ireland. Every thing, in his opinion, was favourable to the claims of the Catholics, except that want of unity in his majesty's councils, which he was sorry to understand still prevailed. With respect to himself, in all probability the part which he had hitherto taken upon the subject, humble and inefficient as it had been, would be much less in future. It was, however, a matter which he had much at heart; and his only wish was, that he might see that great point of national conciliation accomplished before he died. It had been justly said, in another place, that the question could not remain where it was. They must either retrace their steps, or they must go forward. To retrace their steps, or, in other words, to re-enact all the odious and persecuting laws against the Catholics which had been repealed or modified, no one would be rash or mad enough to advise: to stand still was impossible; all, therefore, that he intreated of their lordships was, that as they must, sooner or later, go on, they would not defer their advance till it was too late to be useful. The noble earl concluded by moving, that the petition should lie on the table, which was accordingly done after being read.

ALIEN BILL.] Lord *Sidmouth* rose to move the second reading of this bill. He observed that it was the only remaining part of that series of precautionary measures that were adopted in 1793. They had been opposed at that time by persons powerful from their eloquence, powerful from their influence; and none of them had experienced more opposition than the Alien bill, though the experience of 23 years had proved it a measure of wise precaution on the part of the government He trusted that this bill would now receive their lordships' assent on the same principles with the peace alien bill of 1802. If he were asked what was the necessity of this measure, he owned he felt some difficulty in returning an answer. Any appeal that he could make to one part of their lordships must be hopeless; for it could not be supposed, that those who had opposed the measure even in time of war, would now give it their support in time of peace. He should, however, shortly compare it with the alien acts of 1793 and 1802. By the former it was enacted that no alien should land in this country without having first obtained permission; that he should then proceed to the alien-office in London, where he was to have a district assigned him for his residence, beyond the limits of which, comprehending a circumference of ten miles, he was not to travel without a passport. The penalties for breach of the act were imprisonment and transportation. In 1802 the severity of the act was considerably relaxed; and it was still more so by the present bill, which took away the penalty of transportation. He assumed it to be the right of the sovereign, by the common law of the land, to order aliens out of the kingdom by proclamation: but the Crown had not by the common law the right of deportation. It was one of the objects of this bill to supply that defect, thus enabling the Crown to carry into effect one of its highest prerogatives. In the case of the refusal of the alien to depart, by the common law he might be indicted for a misdemeanor, and sentenced to fine and imprisonment. In this case the only thing to be ascertained by the court would be, whether the proclamation had actually issued, and been disobeyed by the alien. The sentence would follow of course. But by investing the Crown with the power of deportation, while delay would be avoided, the hardship on the alien would in fact be less. Besides, the alien was empowered by this bill to state reasons to the privy council against his deportation, which of course he could not do to a court of justice. He had no official information to communicate which might show the necessity of this bill; but he would appeal to their lordships, whether it would be safe to abolish at once a power which had existed for 23 years; and whether, improved as the state of Europe was, the present state of the united kingdom rendered all precautionary measures unnecessary. He considered that, after such a fermentation as had existed in Europe, the present measure was essential to the stability of peace both at home and abroad. Abuses would be guarded against by the power of appeal to the privy council; and he should move that it be read a second time this day three months.

Lord *Auckland* said, that he entertained the strongest objection to a measure, which abolished that which was one of the best principles of our constitution, namely, that as soon as a foreigner set his foot on English ground, he became entitled to all the protection of English law. On the contrary, this bill went to place the unfortunate foreigner out of the pale of the law, to expose him to the exercise of arbitrary power, to deprive him of that which was the firmest foundation of the comfort and happiness of every man—the security of a fixed and undisturbed habitation. The noble viscount had not stated any grounds for the adoption of the measure. Mr. Burke, who, in 1793 contended that the bill was for the purpose of keeping out of the country those murderers and atheists who were solicitous to put down church and state, added, that the power thus given to the Crown would be too great for the liberty of the people, were it possessed in time of peace. After a long and arduous contest, that time of peace had arrived. Amidst the other evils of war, was this—that during its continuance it was almost impossible to keep a free constitution from being impaired. A greater power was almost necessarily given to the executive government, than was consistent with the liberty of the people: and if there was one duty of the servants of the Crown more sacred than another, it was, as soon as the necessity ceased to exist, cheerfully to resign into the hands of the people the authority which had been entrusted to them. What was the danger now to be apprehended from the residence of aliens in this country? He admitted that it was essential to the peace of Europe to endeavour to preserve the Bourbons on the throne of France. He was also aware that the residence in this country of foreigners disaffected to the Bourbon cause might eventually tend to the accomplishment of the evil which he deprecated. But he could never consent, in order to avoid a remote and contingent danger, to sacrifice so important a feature of the British constitution, as that which the bill compromised. To this country no danger whatever could be apprehended from the machinations of foreigners resident in it. Against such a danger the dislike of the people to the manners and language of foreigners was a sufficient safeguard. The first word that a foreigner would have to utter, in which the letters *th* or the letter *w* occurred, would overthrow any attempt he might be disposed to make inimical to the public peace. But it seemed that this power was not likely to be abused. He, for one, could not agree to grant it on such a ground. No one would impute to the noble viscount any disposition wilfully to abuse power; but he was liable to be misled, and to be induced to put in force the provisions of such a bill, against an individual really unoffending, but against whom the efforts of commercial rivalry, political hatred, or private animosity, might be directed. Hitherto our ministers had been enabled to reply to applications from foreign courts, made in hostility to individuals resident in this country—"Look at our laws; we have no power beyond them." If the bill before their lordships passed, that answer could no longer be made. Ministers would take upon themselves a burthensome responsibility. If the friendship of a foreign power should, in any supposed case, be put in one scale, and the sacrifice of an obscure alien be put in the other, it was not difficult to predict which would preponderate. But it was contended that the bill was to continue only two years. Thus it always was with bad measures; once passed on the ground of emergency, they were re-enacted from time to time, until at length they became a part of the constitution. He decidedly objected to the bill, and should therefore support the amendment.

The Earl of *Carnarvon* was astonished that noble lords on the other side had condescended to say so little in support of their measure, unprecedented in times like the present, when we were at peace with all the world. Many peers had come down, expecting that the noble viscount would endeavour to assign a few plausible reasons for the step he recommended; but, to their great surprise, they had been told by him, that he had none to give, and no information to supply. He had not adduced a single case to show that this absolute power was required, but he had demanded that it should be given on his mere assurance that he would take care it should not be abused. Would parliament be satisfied with this mode of dispensing with the immemorial rights of the people of England? The noble viscount admitted that the present bill was the only relic of the war, forgetting that on that account it was doubly necessary for him to show good cause for its continuance. Even admitting that, by prerogative, the King could send aliens out of his dominions, the form of process was then totally different; a fair trial was allowed to the person accused of the high crime of being a foreigner, and the burthen of proof that his views were inimical to the government was imposed upon his prosecutors. Under this bill, it lay upon the accused to show that he was not an alien, which in many cases could not be done without great difficulty. One severe hardship had not yet been noticed: it often happened that the liege subjects of the crown of Great Britain had married foreigners; and by this extraordinay bill the secretary of state, or any of his petty underlings, would have the power, upon surmises, to separate man and wife. Some of the peers of the realm were married to ladies of foreign birth, and their domestic happiness was to be put at the mercy of any person who chose to make malicious and unfounded representations that the lady was endeavouring to persuade her lord to join in the views of an enemy: she might be thrown into prison without bail or mainprize, and afterwards sent out of the country in which she had borne and educated a family. He hoped to hear some better arguments from the noble lords opposite, and that they would not persevere in their insulting silence.

The Earl of *Aberdeen* contended, that the fact whether we were at peace or war had nothing to do with the present question: the measure did not refer to our external relations, but to our internal tranquillity. In 1802, the noble earl who spoke second had deemed the bill necessary; and in what was the peace now obtained more worthy of reliance than that of Amiens? At that time, though we had an enemy at the head of the French government, the people were our friends; now, though the Bourbons were our friends, the people were our enemies. From which the greatest danger was to be expected, he would not determine. The object of the Bill was to exclude active mischief, not to shut out the oppressed or persecuted; and, in the execution of it hitherto, if he had observed the slightest abuse, or even want of moderation, he would not now give it his support. Under the regulations proposed, it was scarcely possible that any abuse could exist in future.

The Duke of *Sussex* said, that when their lordships were called upon to enact a new legislative measure, it was highly important that they should first know whether or not a necessity existed for it. If the noble lords on the other side were prepared to prove that the existing laws of the country were not sufficient to meet a case of abuse on the part of any alien resident in it, and that therefore it became necessary to enact a new law, he should be perfectly satisfied. But until such a proof should be afforded he must view a proposition like that under their lordships' consideration with extreme concern and jealousy. The circumstances of 1793 and of the present period differed most materially. He had not a seat in that House at the former period, and therefore he could not say how he might have acted when the original measure was proposed; but he was satisfied that as the circumstances of the two periods were different, different measures ought to be adopted to meet them. We were at present in a state of perfect peace. That evening was the first time that their lordships had heard it stated on the other side of the House that the measure before them was proposed, because, although the government of France was pacifically disposed towards us, we had to deal with a hostile population in that country. This was one of those secrets which had been for the first time on that evening disclosed to their lordships. He might, perhaps, be allowed to ask, if a measure similar to the present had ever been adopted before the last 23 or 25 years? Had any inconvenience been sustained, in consequence of no such measure having been adopted? With reference to the observations made by the noble viscount on the subject, he (the duke of Sussex) maintained, that one of the abuses which would be consequent on the adoption of the bill, was the violation of that great constitutional principle, that every man must be tried by his peers. Every foreigner ought to enjoy this advantage, and have the opportunity, when accused of any crime, of meeting his accuser face to face. Whereas, according to this bill, he was to be taken up and sent at once out of the kingdom, or submitted to a species of spiritual inquisition, being compelled to ransack his brains to discover what he had said or done, that might be considered offensive, and thus, by his own excuse, to accuse himself. He confessed that he viewed with extreme concern a proposition of this sort. During the last six months the rate of exchange had so risen in favour of England, that the pound which had been at 17 francs was now 25. To what was this attributable? To the great amount of property remitted from France, because the individuals by whom it was sent did not think it safe in that country, and because they looked back at former times when the persecuted of other nations were received with hospitality and kindness in this. Now, however, the extinguisher was to be suddenly put on this disposition. The noble lords opposite seemed to have forgotten the scriptural phrase, "where the treasure is, there will the heart be also;" and to imagine that those who deposited their wealth in this country were likely to conduct themselves in a manner injurious to its interests. They were going to drive these persons—whither? Three of the continental sovereigns had entered into a specific treaty to receive them, their skill, their industry, and their wealth. To those states, therefore, they would go; and they would also go to America, a country at present in amity with us, but in which disappointed individuals might excite an evil disposition towards Great Britain, similar to that which we knew had been produced on a former occasion by United Irishmen. The next point, a point of very great difficulty was, to ascertain who were and who were not aliens. He had taken much pains to inquire into that part of the subject, but had not been able to obtain any satisfactory information. He had, among other things, read with great attention a pamphlet published by a person who had been connected with the alien office, and who, as he understood, had discharged his duty very conscientiously, he meant Mr. Reeves; and it had created a deep impression of doubt on his mind, whether Americans, under certain circumstances, could be considered as aliens. He had looked over various cases, which, with due submission to the learned lords, he would venture to state. [His royal highness here stated several supposed cases, involving considerable difficulty of decision.] With every respect for the noble viscount, he could not allow that the noble viscount's honour was a sufficient assurance to their lordships that the act would be enforced with a sound discretion. Who could tell if that noble viscount might be in his official situation in the course of ten days from the present period? Then their lordships might have to trust to the honour of somebody else. It was true the noble viscount had said, that if any abuse were to take place, it might be investigated by parliament. But how was evidence to be obtained? By the very nature of the business, the door was shut against information. All these circumstances had their weight in inducing him to support the amendment.

Earl *Grosvenor*, after some hesitation, had made up his mind to vote against this peace alien bill. He thanked the noble earl for the intelligence he had given as to the real disposition of the people of France, and expressed his fears that the restoration of the Bourbons would not be attended with the prosperity and constitutional liberty to the people which he had anxiously hoped. In the present situation of affairs he could not consent to arm ministers with this absolute power, which, in the admitted temper of the French nation, might be grossly misapplied. Another reason for his vote against the measure was the ultra-despotic power (if he might so express himself) established by Ferdinand in Spain, with the revival of all the horrors of the inquisition. Upon this subject ministers had evinced a most unwarrantable apathy, and a reluctance to join in any censures, which but too plainly indicated that they ought not themselves to be intrusted with any authority that could be abused.

Lord *King* wished to ask the learned lord on the woolsack whether the noble viscount had stated advisedly, that there existed in the prerogative a power to send aliens, not alien enemies, out of the country: and whether that power had ever been exercised since Magna Charta?

The *Lord Chancellor* said, that whether the power of sending aliens out of the country resided in the king and parliament conjoined, or in the king alone, no man could be more satisfied than he was of its wisdom and policy when sparingly exercised. Adverting to the period of 1793, when he was attorney-general, he recollected the apprehension that was then excited, not of French arms, but of French principles. He thanked God that that apprehension was strongly felt in the country, otherwise the consequences might have been such that it was impossible to contemplate without terror. It had been felt to be absolutely necessary, whether the Crown had or had not the prerogative of sending aliens out of the country, to arm it with the assistance of parliament. With reference to the construction put by lord Coke on Magna Charta, as it related to this subject, he observed, that at the period to which he had alluded, he had the honour of knowing many learned men, now in their sepulchres, but whose names would long live, and he knew of none, whether they opposed the measure then proposed or not, who denied that the king had the power, without the sanction of parliament, to prevent aliens from staying in the country. But the establishment of this point had no reference to the present case, in which the adoption of the bill before the House was required by imperious circumstances. For what could the royal power do alone? It was easy to say that by that power an alien could be sent out of the country; but how was he to be got out? He must be indicted. Then a bill must be found. That he might traverse. The cause might then be removed by *certiorari* to another court; and so on. With respect to the cases which the illustrious duke had so ingeniously argued, all that he could say was, that every case must be determined by the particular circumstances which belonged to it. There was this single fact in answer to any question that might be raised about difficult cases, namely, that with all possible difficulties on the subject, government had successfully grappled since the year 1793. To him it appeared most astonishing that any of their lordships should think, that after a war of 25 years, the mere act of signing a treaty of peace was to produce so complete a tranquillity, as entirely and at once to calm all the agitation which the recent convulsions had occasioned. Of this he was persuaded, that there were not wanting persons who, if an opportunity were afforded them, were perfectly ready to put in operation those principles against which this country had been so long contending. It was to guard against the machinations of such persons that he supported the bill.

Lord *Holland* complained, that with all the learned lord's legal, historical, and constitutional knowledge, he had not been able to adduce a single instance in which the prerogative on this subject had been attempted to be exercised. The learned lord merely recollected, that when a similar bill was discussing in the other House of Parliament, some persons, lawyers, were of opinion, that lord Coke was erroneous in his explanation of that part of Magna Charta which referred to this subject. Was the authority of these individuals, influenced by the fears of the time, to be considered equivalent to the authority of such a man as lord Coke? Such opinions, or, indeed, any opinion whatever, must be inadequate to sustain the position of the learned lord as to the existence of a prerogative which had not been exercised in a single instance for a period of 500 years, although so many occasions had occurred within that period, in which such a prerogative was most likely to have been called into action, if it had really been recognized. It would be recollected what struggles were made before the Reformation by those Catholics, whose character was so often and so unjustly abused, to resist the *ultra-montane* pretensions of the Pope, when that prince evinced so much ambition to appoint aliens to high ecclesiastical offices in this country. Those pretensions were opposed strongly by the Catholic government of the day; but, instead of maintaining any contest with the Pope, the government might, if the alleged prerogative belonged to the Crown, at once have immediately sent all those aliens out of the country. Again, was not this prerogative, if it existed, most likely to have been called into action by Elizabeth, to guard against the danger with which she was menaced by Philip 2d, who was a sovereign no doubt as sincere in his religion as the unrelenting tyrant by whom the Spanish nation was at present afflicted. But a singular instance was mentioned in another place with regard to Charles 2d, where there could be no doubt that such a prerogative would have been exercised, had the Crown possessed it—he meant the instance in which that monarch was so much annoyed by a French rival in the affections of a favourite mistress, and on which occasion a French writer had observed, that that truly must be a horrible country in which the sovereign did not enjoy the power of relieving himself from such an annoyance, by at once sending the cause of it out of the country. Then as to James 2d, was it at all probable that that sovereign would have allowed so many of the Protestant subjects of his ally and friend, Louis 14th, to come into this country, after the revocation of the edict of Nantz, if he had had the power of preventing them? Nay, was it not quite improbable that James, with the religious prejudices and political views which he was known to entertain, would have permitted such aliens to find an asylum in this country, had the Crown been invested with such a prerogative as was at present insisted upon; for surely James 2d could have found as many lawyers to maintain the prerogative of the Crown in his day, as were likely to be met with at the present or at any other period? William 3d too had many reasons to exercise such a prerogative, in order to guard against the machinations of Louis 14th, and of the agents of James. But it appeared, that although William made no attempt to exclude aliens, notwithstanding the known and powerful hostility of the French government, such exclusion was now deemed necessary, because, according to the language of a noble earl, although the French government was friendly, the French population were hostile. Was there, however, no danger to be apprehended in the reign of William from the alien agents of Louis 14th, who was notoriously as hostile to the habits, principles, and interests of this country, as any of the Bourbon race? But Louis 14th was decidedly as hostile as even Buonaparté could be supposed, and yet William never attempted to exercise the prerogative alleged in the discussion to belong to the Crown. William, however, was a wise man and a friend to liberty, and he (lord H.) had no doubt that that prince would not have assented to such a bill as the present. It was said, that no alarm should be excited by this bill, because truly only 200 persons had been sent out of the country under the authority of the law, which it proposed to continue; as if in a free state the existence of arbitrary power should affect those only who immediately suffered under its operation. Such had not been in good times the usual feeling of the people of England, who conceived that the power which oppressed one man threatened all, and therefore oppression was universally deprecated. It was also alleged by the noble secretary, that no instance of abuse had occurred. He (lord H.) had heard of many such instances, although he did not feel himself at liberty, from motives of delicacy, to mention names. There was, however, one instance, in which he could mention the name, as the individual was no more, and that was M. Deboffe, a well known bookseller, who having imported, among other works from France, some copies of a certain book, in which the conduct of an individual of great influence in this country, was rather unfavourably mentioned, a message was sent to M. Deboffe, that if he sold a copy of this book, he would be sent out of the country under the alien law. This case he was enabled to state upon the best authority; but he could not say that the message was actually sent to M. Deboffe from the individual referred to. But such a power as this law created was liable to every species of abuse. How, for instance, was it likely to operate upon writers? Could it be supposed, that if such a law had existed in Holland when Messrs. Arnaud and Bayle took refuge at the Hague, the world would have ever heard of the writings of those eminent men? But it was said that under this law only 14 persons had been sent out of the country within the last five years. It was to be recollected, however, that the power which sent away 14, might be extended to 14,000; and that the few persons sent away within such a period, formed a strong argument against the necessity of the law. But to return to the question of the alleged prerogative, what was the conduct of queen Anne's reign? Instead of attempting to send away aliens, all the alien Protestants in the country were naturalized by one act, and an equally liberal policy marked the reign of George 1st. But to come to the reign of George 2d, an act was passed in that reign, naturalizing all foreign Protestants! But a petition was presented against that law from the city of London, who objected to the admission of foreigners into our corporations, or to any places under government, from an apprehension, that being unacquainted with the value of our privileges, they were not likely to be tenacious of them or attached to liberty. Such was the old policy and constitutional jealousy of Englishmen. Yet, by the bill before the House, it was proposed to place 20,000 foreigners in a state of absolute subserviency to the secretary of state. Was it necessary to describe the abuses to which such a law was liable? How easy could the minister under such a law protect those foreigners whose services he desired, by sending out of the country any foreigner who might be dreaded as the witness of their malpractices. What he objected to was an alien law, which could not, it seemed, be described but in alien terms, such as *deportation* and *surveillance*, and other words not to be found in any English dictionary. He disliked such foreign terms, as well as the object to which they referred, and heartily wished the deportation of both. On the whole, he felt it his duty decidedly to oppose this bill. There were several amendments which he meant to propose in a future stage, especially with regard to alien women and to Americans.

Lord *Ellenborough* declared his decided opinion that the Crown possessed the prerogative of sending aliens out of the country, and maintained that such prerogative belonged of right not only to the monarch of this country, but to the sovereign of every country. In support of this opinion, he quoted the authority of Vattel. As to the construction of Magna Charta, it would be recollected, that upon the subject of merchant strangers, the citizens of London presented a petition to Edward 1st, asserting the prerogative of the sovereign to send such aliens out of the country, and that the king concurred in that opinion. Such then was the impression, almost immediately after Magna Charta was enacted: and yet the present bill was pronounced tyrannical, and inconsistent with the constitution of the country. But he, on the contrary, maintained, that the present was comparatively a lenient measure, imperiously called for by the existing circumstances of the world.

Earl *Grey* said, that he had not intended to trouble the House upon this subject, and therefore he had not at all prepared his mind for the discussion, relying upon the arguments of his noble friend (Holland) which arguments had, in fact, been left wholly unanswered. Indeed, from all that he had heard, he felt fully satisfied, that although this bill might be voted, it could not be defended. The doctrine with respect to prerogative, so confidently alleged, had in fact, received no support whatever from either the learned lord on the woolsack, or the learned lord who had just sat down. When the latter, who was at the head of the administration of the law of the country, rose to address their lordships, he expected to hear some history of the common law in favour of this measure, or a series of precedents to sustain his main position, or the *dicta* of some of our eminent law writers, of Bracton, or Fortescue, or lord Coke, for instance, in support of that prerogative which was upon this occasion so confidently asserted. But instead of having his expectation fulfilled, the learned lord quoted a French writer upon the law of nations. That writer, M. Vattel, for whom he (earl G.) entertained great respect upon the subjects to which his work referred, had no doubt stated, that the right alluded to, belonged to the sovereign power of every state. But what was the sovereign power in this country? Was it in the Crown or in the parliament? Vattel had also laid it down that the raising of money, and the maintaining of armies, also belonged to the sovereign power; but did such power form a part of the prerogative of the Crown in England? Certainly not, and therefore the authority quoted by the learned lord, was totally inapplicable. Yet this bill, according to the learned lord, was only necessary to aid the execution of the prerogative which it appeared was incapable of execution without the bill. Therefore this boasted prerogative must be ineffectual without some legislative provision, and what sort of prerogative then could it be deemed? It was, in fact, no prerogative at all, even upon the learned lord's own showing. But when the learned lord quoted, as law authority, a petition from the city of London, alleging the right of the king to send aliens out of the country, in which allegation the king, to whom the petition was addressed, very naturally acquiesced, he really heard the learned lord with considerable surprise. The learned lord himself, and the learned lord on the woolsack, were no doubt very high law authorities; yet, according to the learned lord's precedent this evening, we might hereafter hear those high authorities discarded, and be referred to a petition from sir William Curtis and the citizens of London. The privileges granted to aliens by several statutes combined with the precedents so ably stated by his noble friend, formed in his judgment, a conclusive argument to show that such a prerogative as that at present insisted upon was never recognised to belong to the Crown of England. So much as to prerogative, while as to the expediency of this measure he thought it exceptionable in every point of view, either with regard to public policy or constitutional principle, and he deprecated it the more because he seriously apprehended that although the bill was limited to two years, the law was but too likely to be perpetual; therefore he never gave a vote with more satisfaction than that which he should give against the adoption of such an oppressive measure.

The Earl of *Liverpool* thought the noble lord who had just sat down, had, as well as his noble friend (Holland), argued upon a complete misunderstanding of the opinions of his learned friend on the woolsack, and the learned lord near him; for those opinions only referred to the general law of nations, that it was a part of the sovereign power of every state to send away dangerous aliens, and for obvious reasons, that authority must rest with the executive power, for if placed elsewhere, it would be comparatively in many cases, if not totally, ineffective. As to the periods of our history referred to by his noble friend it was then the obvious policy of this country to encourage aliens, who notoriously came here with friendly sentiments, but very different consequences were to be apprehended from such a course of proceeding under existing circumstances.

The Earl of *Darnley* observed, that the slightest necessity had not been shown to exist for having recourse to a measure like this, and unless a necessity could be shown, their lordships were bound to refuse their assent to it.

The House then divided: For the second reading, Contents, 54; Non-contents, 17. The bill was then read a second time.

HOUSE OF COMMONS.

Tuesday, June 11.

Gas Light Bill.] Mr. *Holmes* brought up the report of the Gas Light bill. On the motion for agreeing to the report,

Alderman *Atkins* complained of the exclusive privileges claimed by this bill, and contended that the measure was calculated to ruin that hardy race of men, the persons employed in the Southern and Greenland whale fisheries, in each of which a million of money, and above 100 ships were engaged. If the bill were to pass, it would throw out of employ 10,000 seamen, and above 10,000 rope-makers, sail-makers, mast-makers, &c. connected with that trade. He complained of the way in which hon. gentlemen interested in the subject had attended the committee, and had by their numbers borne down all opposition to the bill.

Mr. *N. Calvert* defended the committee from the imputation cast on them. He had no interest whatever in the gas light company, and he should like to hear the hon. alderman say the same of himself with respect to the Greenland trade. He thought the opposition made to the measure by the persons connected with the oil trade extremely unjustifiable.

Mr. *Jones* did not see why the individuals to whom the bill referred should be erected into a corporation. It had been said by a gallant officer, that the strength of the British navy was derived from the south whale fishery, which this bill went to destroy.

Mr. *D. Giddy* put out of his consideration all that part of the question which hinged on the interests of the whale fishery, but contended that the extension of the company to perpetuity was wholly unjustifiable. If they would take any number of years, 60 for instance, he would not object to the measure.

Mr. *H. Sumner* eulogized the advantages enjoyed by the public in consequence of the superior illumination of the streets by gas light. But still he thought that the House ought to be better acquainted with the provisions of the bill, and that for that purpose it should be reprinted and recommitted. He moved as an amendment, to take the report into further consideration on Monday.

Mr. *Marryat* argued against the monopoly which the bill went to create, but admitted that sufficient oil was not now brought from Greenland to light the metropolis.

The House divided: For the original Motion, 76; for the Amendment, 29. The report was then received.

MOTION RESPECTING PIERRE DAMASE PERROT.] Sir *Samuel Romilly* stated, that he had been applied to by Peter Damasé Perrot, an inhabitant of the Mauritius, from whom a petition had been presented to the House on Thursday last. He had been informed by him that it was not true, that he was ever concerned in any insurrection, in that island. On the 8th of September last, a troop of soldiers came to his house, and carried him away, along with his wife and children, some of whom were of very tender years, to a distance of four miles from his plantation. Next morning he was separated from his family, and conveyed to a further distance of 40 miles, and then, after answering some interrogatories, sent on board his majesty's ship the Minden, and conveyed to this country, without being allowed to see any of his family, or having an opportunity of taking any money with him. During the voyage he was kept a close prisoner. In this situation, being a British subject, his only consolation during the voyage, amidst all his hardships, was, that he was about to be transported to a country where respect was shown to the laws, and where every man was held innocent till found guilty. The first thing he did on landing was, to transmit a memorial to lord Bathurst. To this memorial he received an answer, acquainting him that the circumstance which rendered his removal from the Mauritius expedient had ceased to operate, and that directions would be given to convey him to that island to be put on his trial, as the best means of clearing up the facts of the case, and that till his departure an allowance would be made to him. On writing again to lord Bathurst, expressing a hope that an investigation into the conduct of the governor of the Mauritius would be ordered, and that he himself might be treated in a manner more suited to his rank in life than he had hitherto been, he was informed that an inquiry was now making to know how far his statement was correct; that directions had been given to the transport board with respect to his passage; and that till his going on board he should be allowed 5*s.* a day. He wrote afterwards to lord Bathurst, informing him that 9*s.* a day was the lowest he could live upon in this country, and that he had no clothes; and on the 2nd of April 1816, he received an answer, stating that government had no farther communication to make to him. There were two things to be considered in this case. Nothing could justify the removal of this man by force out of the island. He did not mean to say, if such a measure was necessary to the safety of the island, that it might not be justifiable; but this was not alleged in the present case. The hon. gentleman opposite knew not of the least danger with which the putting this man on his trial in the island would have been attended. What was it but the punishment of a man without trial, and the severest punishment—to remove him from his home and family to a distant country, where, from his being deprived of all means of support, he could only be a vagabond and a beggar? It was the violent act of a governor taking upon himself, in defiance of all law, to punish an individual against whom he had conceived a dislike. If dangerous to the safety of the island, he might have been sent to the Cape of Good Hope (Bourbon from particular circumstances might not perhaps be considered as a proper place), or to some situation less distant from his native home than this country. Nothing had been said of him, but that he had been once concerned in an insurrection, and that he was a man of bad character; and it was to be remembered this bad character was given to him by his oppressor. Nothing had come from the governor of the island to justify the keeping this man, or confining him one day in this country, where, thank God, the laws were still observed. Sir Samuel concluded with moving, "That an humble address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, copies or extracts of all dispatches which have been received by his majesty's government from the governor of the Mauritius, which in any manner relate to the case of Pierre Damasé Perrot."

Mr. *Goulburn* stated, that by the vessel which conveyed the individual, the subject of the present motion, to this country, they received a dispatch from the governor of the Mauritius, referring to certain proceedings respecting the registration of slaves, which had led to an insurrection. In this dispatch the mention of M. Perrot was purely incidental. No sooner was the memorial of M. Perrot received by government, than they sent instructions to governor Farquhar to transmit to this country copies of all the proceedings relating to him. As to the particulars of the case, government were still as uninformed as ever. But they would not have acted properly towards the judge and governor, if they had at once complied with the prayer of the petition in a doubtful case, and recalled them, that the petitioner might have an opportunity of bringing an action against them in the court of King's-bench. The proper course was first to require from the governor copies of all the proceedings in the case, and then to decide whether the conduct of the governor had been such as was represented or not. Government were aware that the situation of the Mauritius was extremely delicate. In consequence of the Nepaul war, the garrison had been reduced to 1,200 men, of whom 500 were in the hospitals. He had also to state, that when reference was made to captain Mackay, the commanding officer of the ship which brought M. Perrot to this country, that distinguished officer assured him that the whole of the charges which had reference to his passage were either complete falsehoods or gross misrepresentations—that he had brought money on board with him, of which he was deprived, to prevent him from tampering with the crew—that out of this money supplies had been purchased for him at the Cape, and that the remainder was paid to him on landing, in presence of witnesses. It was a presumption in favour of governor Farquhar, that this individual was concerned in an insurrection in the island of Bourbon, and sent over a prisoner to the Mauritius, and that he had been set at liberty by governor Farquhar.

Mr. *Watson Taylor* could state, on the authority of two officers of his majesty's service, and one individual connected with the islands of Mauritius and Bourbon, that M. Perrot, on the first news of the return of Buonaparté from Elba, hurried to the isle of Bourbon, where he was concerned in an insurrection, and convicted and sent to the isle of France. A gentleman now in this country, saw him arrested in the act of insurrection.

Mr. *Baring* said, that he had yet heard no argument against the production of the papers. The situation of the persons living in these colonies, was a sufficient reason why the House should exercise a vigilant superintendance over the conduct of the governors. There could be no doubt, that the individual in question had a very serious ground of complaint. He had been sent out of the country, where he might have been tried, to a country where he could not be tried. It was not to be supposed, that the individual could be sent hither without some information, and whatever it was, it should be laid before the House.

Mr. *Brand* regretted the refusal of the papers, the production of which was due to the character of governor Farquhar. From his knowledge of that gentleman, he did not doubt, that he would be able to justify this proceeding. If the information at present in this country, could (as it was said) lead to nothing, at least there would be no danger in the production of it. The motion might be renewed in a future session, when further information had arrived.

Lord *Castlereagh* said, the information now in this country respecting the individual in question, was not enough to enable the House to come to any decision on the subject. He did not think that the production of the papers would be attended with any advantage either to governor Farquhar or to justice, but would leave the question in just as unsatisfactory a state as it was at present.

Mr. *Brougham* could not see the grounds of the objection to the motion. It was said, that there was not information enough to settle the question; but at least there was some information, some dispatch, in which the case was alluded to, and what harm could arise, from the production of this extract of the dispatch, he could not conceive. He had great suspicions that the governor had acted in this case rashly; for if he had the power of sending M. Perrot out of the island, yet what reason was there for sending him to a country 139 days sail from the colony? He suspected it would turn out that the governor had not considered what was the nearest place to which M. Perrot might be sent, but what was the next ship which was to sail.

Mr. *P. Moore* observed, that there must at least have been some instructions to the captain of the Minden, which might be produced.

Sir *S. Romilly* said, that the strongest charge against the governor had been urged by the opposers of the motion; for what could be a more serious imputation, than to suppose a governor so indifferent to the liberty and happiness of the persons under his government, as to send a person a prisoner to this country without thinking it worth while to say any thing about his case, or giving any directions as to the manner in which it would be proper to treat him? He believed it was a prevailing error, that it was in the power of the governors in the colonies, which had not received constitutions, to send out of them any persons whom they chose to exercise their power on. It was the duty of the House, therefore, to be vigilant in protecting the inhabitants of these colonies. It was easy to allege the bad character of a person on whom an act of tyranny was exercised, and it was sometimes difficult to refute the accusation; but if it was true, it could never form a justification of oppression. The advantage which M. Perrot was supposed to have derived from being sent to this country was rather whimsical. He was able, to be sure, to complain to the House of Commons, but the result would be, that he would be told by a majority, that his liberty, or those of his fellow colonists, was a matter of no account to members of that House.

The House divided: For the Motion, 19; Against it, 51.

Small Arms.] Colonel *Palmer* rose to move for a committee on the subject of the manufacture of small arms by the ordnance department. He observed, that before 1804 the small arms of this department were manufactured in Birmingham and London. Since that time the board of ordnance had established manufactories of their own. This step he should be able to prove had occasioned great additional expense to the public, and had been injurious to a large class of manufacturers; and he hoped the House would think these sufficient grounds for an inquiry on this subject. The first establishment of this kind, set on foot by the ordnance board, was in Adam-street, near the Tower; but it was found to be so expensive and inadequate to its objects, that it was abandoned. Another was then established at Lewisham, in Kent, in the year 1803. In 1811, the commissioners of military inquiry reported that this establishment had produced an expense of 90,000*l*. Since that time a large additional expense had been incurred. These commissioners had given it as their opinion, that it would not answer for the ordnance to manufacture arms of their own, and recommended that the establishment should be abandoned, notwithstanding the expense which had been incurred. The board who were unacquainted with the business, had been led into this expense by persons nearly as ignorant, but more interested. Since 1811 the establishment had not been abandoned, and another had been established on a more expensive scale, since the first occupation of Paris by the allies. He wished to know whether the sum of 70,000*l*, which had been voted included all the proposed expense? For the building itself he saw no necessity, when he knew it was confined to the making of gun barrels, of which there were 420,000 in the tower, which had never been used. He, besides, considered the grant of 100,000*l*. for the manufacture of small arms, to be equally unnecessary, as there were in the tower and other depôts through the country above 800,000 arms which had never been used. The manufacture of short cavalry carabines was not called for, as that species of arms had been condemned by persons who were well acquainted with the subject, on account of the shortness of the barrels and the insufficiency of the locks. A proof of their being totally inadequate for the purposes intended, was sometime ago seen in the tenth regiment of cavalry being supplied with other arms manufactured by Mr. Baker, of Whitechapel. That regiment found it impossible to discharge their duty with these carabines, and they were consequently supplied with the others by means of the Prince Regent. He objected also to the competency of this board to act, from the manner of proving the barrels at the tower, which was conducted by a person totally ignorant of the subject. From too little powder in this proof being used (only 16 drams, whereas the act of Charles 1st, required 22), he believed many accidents had happened. He was informed by an officer who went over the field of Waterloo with a patrole on the morning after the memorable battle, that it was astonishing to see the number of barrels which had burst, and were lying on the field. Besides, there was not one straight barrel in the service; for as they were burnished only on one side, the friction drew them a quarter of an inch out of a straight line. He thought also, that the practice of putting brown on the barrels was a means of producing rust; at all events it hid the deficiencies. The cheapness of the manufacture was an argument which he knew would be adduced in its support; this, however, he was prepared to disprove by the most satisfactory evidence. The quality must be inferior to those at Birmingham, for it was obvious the anxiety of the board to prove the economy of their system would lead them to less vigilance in the manufacture. The raw materials, he could prove, cost more here than the barrels did when finished at Birmingham. He deprecated, on all these grounds, the impolicy and injustice of government in attempting to overthrow the labours of those individuals who had contributed so largely to the support of the war, and as a measure which would ultimately compel the disaffected mechanic to seek protection in some more hospitable country. He concluded with moving for a committee to inquire into the management and expense of the small-arms manufactory belonging to government.

Mr. *R. Ward* opposed the motion, and stated the various steps government had taken to conciliate the manufacturers, who, he assured the House, were now perfectly satisfied with what had been done. He argued that the supply of arms manufactured by government had borne no proportion whatever to those made at Birmingham, and that henceforth the small arms manufactory would solely be applied for the purpose of repairing old arms.

Mr. *Dugdale* agreed to the establishment of the government manufactory, as a proper check over the manufacturers of Birmingham, but thought they were undoubtedly to be prefered as the best workmen.

Mr. *W. Smith* thought his hon. friend's motion might do much good, as it would discover most accurately the advantages to be expected from this new establishment; of which, however, he had no great opinion, considering it merely as affording an opportunity for granting new salaries.

Colnel *Palmer* in reply, consented to withdraw his motion on the assurance given by the hon. gentleman, of this new manufactory being solely appropriated to the repair of old arms. He begged to inform the House, that all the reductions which had taken place, had been effected solely since his motion was announced, and he considered, therefore, much good to have resulted. He could assure them, that though now no new arms were to be made, that before he announced his motion, 25,000 had been agreed to be made.

The motion was then withdrawn.

HOUSE OF LORDS.

Wednesday, June 12.

ALIEN BILL.] Lord *Holland* rose to propose his question for the opinion of the Judges, on a point connected with the Alien bill. He should be sorry to put merely an abstract question to the judges, unconnected with any business before the House. Doubts certainly existed as to the description of persons to be affected by this bill; and, before the House proceeded to concede these extraordinary powers to ministers, those doubts ought to be resolved. While those doubts continued, the bill would be a perpetual subject of alarm to persons who perhaps did not come at all within its operation. What he wanted, therefore, was, to have the import of the word "aliens" clearly and definitely settled, that they might know with respect to whom they were legislating. There were three distinct opinions with respect to the Americans in this view. Some were of opinion that all the Americans, before the treaty of peace, acknowledging the independence of the United States in 1782 or 1783, were not aliens. Others thought that not only these *ante nati*, but all their descendants were not aliens; while a third class were of opinion, that those who adhered to the British interest after the peace, were still British subjects; and that those who remained in America, and adhered to the United States, were aliens. Mr. Reeves, a very able lawyer, who had conducted himself in his unconstitutional and painful office with an urbanity which did him the highest credit, was of the first opinion, as his definition of alien was, "one born out of the king's allegiance," which the *ante nati* were not. The case of the *post nati* had been involved in a great deal of difficulty by discussions relative to the personal character and rights of the sovereign. It was desirable that this should be kept clear of these difficulties; and he should frame his question so as to keep clear of those difficulties which occurred in Calvin's case, and confine it to the rights of the crown of England. The question was, whether these persons had forfeited their birthright; and though the sovereign might dispense with his own claims, he had no right to deprive individuals of the privileges to which they were legally entitled. With respect to the third opinion which he had, it might afford a very convenient political distinction: but the question was, what was the law on the subject? The Scotchmen employed in the service of Holland had not thereby forfeited their birthright as Scotchmen, and upon that principle the Americans adhering to the United States ought not to lose their birthright as British subjects. These might be questions of difficulty; but this bill rendered it necessary that the doubts should be resolved, that they might not leave those, who perhaps were not within the provisions of the act, exposed to the loss of property and of life at the arbitrary pleasure of ministers. There was a description of persons who, though generally considered as aliens, ought to be exempted from the operation of the act—he meant aliens married to British subjects: as it was evident that the powers given by this bill might be employed with peculiar oppression against that description of persons. He concluded by moving, that it be referred to the judges to state their opinion on the question, whether one born in a territory depending on the crown of England forfeited his birthright, and became an alien by the subsequent cession of that territory to a foreign power, or acknowledging its independence.

Lord *Sidmouth* opposed the motion upon the ground that it was wholly unnecessary. These acts had been 23 years in operation, without having produced any practical inconvenience. There had been no inconvenience stated as to the past, and there could be no ground for apprehension as to the future. The numbers of the *ante nati* had of course been very much reduced by time; and, for that reason also, the present motion was less called for now than at any former period. Besides, any person aggrieved might appeal to the privy council, where the law would be stated by the lord chancellor, the master of the rolls, the two chief justices and chief baron, assisted by the law officers of the Crown.

Earl *Grey* said, that the question was, whether, where a serious doubt existed as to the subject upon which they were legislating, that doubt ought not to be resolved; and he could not conceive any thing more palpably wrong than to proceed to pass a law, while they remained uncertain against whom it was to operate; more especially when they were called upon to grant new and extraordinary powers, which, notwithstanding all that had been stated, about prerogative, could only be given by the legislature.

The Earl of *Liverpool* opposed the motion, because for 23 years no practical inconvenience had been felt from these doubts. But he objected to it, also, because it was in fact putting an abstract question to the judges, and a question not well worded, even with a view to the noble lord's own purpose. It would be infinitely better to have the question decided on appeal to the privy council, when the case should practically arise.

The Marquis of *Buckingham* said, that the object of legislation was, to clear or remove doubts, and not to make them. That maxim appeared to be reversed on this occasion. The alien, he contended, would be placed in a situation the most unjust. He was either to stand before the privy council without the assistance of legal advisers, or he was to go to the expense of a process in Westminster-hall.

The *Lord Chancellor* said, that had it been moved in 1793 that a similar question should be put to the judges, he should have opposed it; first, because he did not think it so worded as to enable the noble lord to attain his object; but principally because the judges would stand pledged by the answer they might give to an abstract question. He was persuaded, that if the question was put to them, they would reply that it was too general in its nature to be answered, consistently with safety to the administration of justice.

Earl *Grey* observed, that the noble viscount had asserted that no American had ever been sent out of the country under the alien act: but since the assertion was made, he had learned that an American had been sent out of the country—that American was Mr. Barr, no inconsiderable person, and who had been once vice-president of the United States.

Lord *Holland* shortly replied, after which the question was put and negatived without a division. The House then went into a committee on the bill.

The Earl of *Carnarvon* moved an amendment, the purport of which went to declare that the bill was for the better preservation of the peace and safety of the realm.

Lord *Sidmouth* opposed this amendment. He disclaimed the imputation that ministers took any participation in the policy of other countries, at the same time they could not shut their eyes to the danger of this country becoming the receptacle for a set of depraved and turbulent foreigners, from whence they might carry on their machinations against their own lawful governments. He should shrink from his duty if he did not state, that the peace of Europe, with which the welfare of this country was so closely connected, was also one of the objects of the bill.

The Duke of *Sussex* deprecated this mode of legislating for the supposed safety of other countries.

Lord *Holland* observed, that there was something abhorrent to the feelings of Englishmen in placing in the hands of ministers the power of expelling aliens who disapproved of the principles of the house of Bourbon, and who sought an asylum in this country. Why not also give them the power of expelling Englishmen who detested those principles? In that case he thought they would thin the country. How were our ministers to know that these refugees were dangerous and malevolent men? They were to know it, forsooth, from the French government; and its representative here. How, if it should happen that French Protestants were to seek a refuge here from persecution, would not that government represent them as Buonapartists; and were our ministers to expel them? He would wish every Protestant in this kingdom to lay this deeply to heart. The object of the bill was avowed. Why not insert in it that it was to keep the Bourbons on the throne?

The amendment was negatived.

Lord Holland moved a clause, the object of which was, that before any alien was sent out of the kingdom, he should be carried before the secretary of state, or any justice of the peace, for the purpose of enabling him to lodge an appeal against his deportation. This clause, after a few words from lord Sidmouth, was also rejected. Lord Holland next proposed a clause exempting from the operation of the act such persons as had been brought into this country before the age of twelve, and who had not since departed from it; which was negatived. Various other amendments were successively proposed by lords Holland and Carnarvon, but they were all negatived; and lord Holland observed, that the bill would go out of the committee in all its deformity, and would remain upon our statute books, if not altered upon the third reading, as a most unconstitutional measure.

The House then resumed, and the report was ordered to be received forthwith.

CLERGY BILL.] The Archbishop of *Canterbury* rose for the purpose of bringing in a bill, the chief object of which was to bring into one act the various statutes now in force respecting the government of the church. Aware of the consequences resulting from any agitation of the laws of the church, he individually would have declined the task he had now undertaken, but his deep sense of public duty imperiously called him to attend to it. His Grace then pointed out three alterations he proposed in the present law. The first related to the clergy holding farms; the second, to the exemption which prebends and canons had who held the cure of souls in addition to their prebendaries, from residing on their livings. The alteration he meant to propose was, that they should only live four months in the district where their prebendaries or canonries were, and should live the rest of the year where their cure was. This alteration he should confine to such persons as should hereafter accept the office of canons, &c. as the age of many of the present incumbents would materially hinder them from complying with it. The third alteration was, to invest a power in the bishop of the diocese, when he saw the duty of any parish in his diocese, not regularly performed, from the infirmities or age of the incumbent, from a numerous population, and other causes, to nominate an assistant or assistants, to be paid such salary as the law appoints. His Grace concluded by moving "That the bill be read a first time and printed." He would not press a second reading this session.

The bill was then read a first time.

HOUSE OF COMMONS.

Wednesday, June 12.

TREASURER OF GREENWICH HOSPITAL.] Mr. *Calcraft* rose to call the attention of the House to a question of the highest constitutional importance. They were already apprized of the merits of this case. It had before been under discussion, in consequence of the motion made by his hon. friend (Mr. Wynn). To get rid of his hon. friend's motion for a new writ, a committee had been appointed to investigate the question. On the report of that committee, his hon. friend had moved, "That the appointment was neither naval nor military." This motion was met in a most singular manner. The previous question had been moved and carried upon it, and that gave him an opportunity of bringing the subject again under the consideration of the House. Since that period, a petition had been presented through him from the electors of Rochester, imploring the House again to take into consideration a question, in the decision of which their elective franchises were so much concerned. The history of the transaction was this: Sir T. Thompson was a comptroller of the navy. In consequence of arrangements with his majesty's government he gave up this situation, and became treasurer of Greenwich hospital. By the 6th of Anne it was enacted, that if any member of that House accepted a place of profit from the Crown, his election should become void. What were the exceptions to this enactment? The sole exception was that of naval or military appointments. The only question therefore was, whether the appointment of treasurer of Greenwich hospital was a naval or military commission. This no man could contend. Why, then, had not sir T. Thompson vacated his seat? Because the House had assumed, by its decision, the gigantic and unconstitutional power of repealing the law—not in a bold and open manner, but by meeting the motion which had been made on the subject by the previous question. It was not a question of privilege, but a question of law, which law ought to be strictly construed. If any leaning were to be allowed in the construction of it, that leaning ought to be in favour of the people. The true meaning of the law, however, was so evident, that he who ran might read. He had understood, that the perseverance of sir T. Thompson in retaining his seat was justified by analogy; and this analogy was drawn from the office of governor of Greenwich hospital. He denied that there was any analogy between the two offices. The appointment of governor of Greenwich hospital bore the colour of a commission; but would any one say that the appointment to the treasurership of Greenwich hospital was a step in a naval man's profession? What said the only precedent in the case? it was that of captain Baker, who was appointed treasurer of Greenwich hospital in 1736, and who, although a naval man like sir T. Thompson, vacated his seat in parliament in consequence. Why should not sir T. Thompson vacate his seat? Was it because the good of the subject was concerned? No. Was it because the privileges of that House were implicated? No. It was because the influence of the Crown would be affected—an influence which it was the duty of the House of Commons most jealously to watch over and control. It was a curious fact, that the first commission in the army vacated a seat in that House, though the first commission in the navy did not. The former was signed by the King, the latter only by the lords of the admiralty. This marked the jealousy of former times on this subject. But the appointment of sir T. Thompson to the treasurership of Greenwich hospital was signed by the King. The course which he meant to take was, in the first place, to make the motion which had been made by his hon. friend, and if he succeeded in that, then to move for a new writ for Rochester. The hon. gentleman concluded accordingly by moving, "That the appointment of treasurer of Greenwich hospital is not a commission in the army or navy."

Mr. *Bathurst* contended, that the hon. gentleman had put an erroneous construction on the 6th of Anne. It had been the practice of parliament to decide that governors of such places as Greenwich hospital should not vacate their seats in that House in consequence of their appointments, and why should the treasurer? As to the decision of a former parliament on the subject, that was not to be taken as the law of parliament. The parliament had recognized the right of the person nominated as master or governor to hold his seat in the House after such appointment, because the situation was considered as a military one. It was known, however, that the master or governor of Greenwich hospital had no military duty to perform. He had to take care of and superintend the concerns of the hospital. The business of the treasurer was nearly of the same nature, and that office was therefore as much a military appointment as that of governor. On this ground, therefore, he should oppose the motion. If the hon. member had confined himself merely to the question of moving a new writ, he would have given it a direct negative; but as he had chosen to put the present question, he should meet it by moving the previous question.

The House then divided: For the original motion, 69; Against it, 68; Majority, 1.—A new writ was then ordered for Rochester.

Motion respecting Lotteries.] Mr. *Lyttelton* expressed his regret at being obliged to bring forward a question of such magnitude and importance as that concerning Lotteries, at a time when it could not obtain a fair discussion. At any time the question was one of importance, as it affected the morals of the people, but at present it was particularly so, from the number of evils which had flowed from it. He was aware in introducing the subject that motions similar to that which he intended to move, had been negatived at a period when our finances were in a favourable state, but he was prepared to combat any argument to be drawn from that circumstance; for no consideration of financial advantage should induce the sanction of a measure so pregnant with mischief to the morals of the people. He knew that there were considerable advantages derived from this measure; but admitting that they were much greater, they would not be sufficient to outweigh the evils by which they were produced. But even as a measure of finance, lotteries were impolitic, and their profit to the exchequer bore no proportion to the expense (coming from the public) by which they were to be collected into it. The annual nett profit from the lotteries, at their estimated revenue, was not more than 558,245*l.* He would then beg of the House to bear in mind what sum of money the public were obliged to pay before this much was collected into the exchequer. He was certain that he estimated it very low, when he stated that a million of money was drawn from the pockets of the public. Suppose 60,000 tickets were voted for the lottery; of these he would calculate that only 40,000 were sold to the public, at 25*l.* each, and they often exceeded that sum, from their being sold in eighths and sixteenths, yet even by this calculation a million of money would be drawn from the public. When such was the case, he would ask, was it not an absurd and short-sighted policy to raise money by means so injurious to the public in a pecuniary point of view?—The real fact was, that the loss to the public by lotteries was much more than what he had stated. Besides his objection to lotteries in a financial view, he strongly objected to them from the bad system of illegal insurances to which they gave rise. It might be said that methods were taken to prevent this abuse. But what were those methods? The enactment of severe laws, which gave rise to abuses even greater than those which they were intended to prevent. By these laws an encouragement was given to one of the worst species of human depravity—perjury. Informers lived upon those laws which were enacted to guard against illegal insurances, and still the evil had not ceased to exist. In 1814, 160 persons were committed for doing illegal insurances, and in 1815, 155 persons were committed for the same offence. Out of these he could enumerate many instances where some persons of respectability had been imprisoned on the testimony of wretched informers, who made a trade of such informations. The first case was that of a very respectable excise officer, a Mr. Thomas Croxon, who on the information of a woman of infamous character, had suffered imprisonment for two months, for the alleged crime of having made illegal insurances. This man had enjoyed an unblemished character for twenty-seven years in which he had been in office, and so strong an opinion had the board of excise of his innocence, that immediately on the expiration of his imprisonment he was restored to his former situation, and the arrears of his salary from the day of his commitment paid up. Here was a case which would show how much exposed the liberty of every man was which might be taken away on the testimony of any wretched informer who might attempt it. It was a fact that no less than sixteen persons had been committed to prison on the oath of the same woman who had sworn against Mr. Croxon, and she herself had been since sentenced to transportation for an infamous offence. The next case was that of a man named Davis, who kept a grocer's shop in Carnaby market. This man, on the testimony of two informers, had been torn from his family, and imprisoned two months, and so great an effect had the circumstance on his wife, that she died a few days after he had been liberated from prison. The third case was that of Martha King who kept a confectioner's shop near Holborn. Information had been sworn by an informer against her, for doing an illegal insurance in the lottery. To avoid prosecution she went to the country; and after a short time, wishing to return to her business, applied to know how the information could be quashed, when she was informed that the only way was to pay 3*l.* to the informer, as that was the usual fee. The House would see, from these cases, whether there did not exist an evil calling loudly for redress, and more than sufficient in its bad effects to outweigh every advantage which could be derived from lotteries. The very means which went to prevent illegal insurances, were in their effects worse than the toleration of those insurances. He admitted that those abuses did not now exist to the extent to which they had gone in former times, when the days of drawing were so many; but still the system now adopted, of having the lotteries at different times of the year, kept up the irritation of the public mind. Another objection was, the number of offices which were created by lotteries. Many of those offices were literally sinecures. There were four persons with 500*l.* a year each; five with 350*l.*; one with 300*l.*; one with 230*l.*; two with 200*l.*; and six with from 100*l.* to 150*l.* These were under the title of lottery commissioners, very few of them had scarcely any thing to do. He would ask whether, in times like the present, such offices should be suffered to exist? No gentleman, unles he happened to be in a foolish mood, and had loose money in his pocket, would have any thing to do in the lottery. No gambler, who knew what he was about, would venture any money in it. It might be said too, that nine-tenths of the people who engaged in state lotteries would not have any thing to do with other kinds of gambling; a very small proportion indeed would have recourse to little-goes. The legislature had no right to tamper with great public principles. The advantages derived from state lotteries were rather nominal than real; and in the long run, more would be gained than lost by the abolition of such an enemy to the industry of the people even in a pecuniary point of view. The report of the committee in 1808 expressly stated, that the lottery ought not to be resorted to as a financial resource. There was certainly no means of taxation more burthensome to the people, and none more disgraceful to the government. Having troubled the House with these remarks, he would conclude with submitting the following Resolutions:

1st. "That by the establishment of state lotteries, the government of this country has encouraged and provoked a spirit of gambling, which, degrading the character of the people, and weakening their habits of industry, must abate the moral strength of the state, and ultimately diminish its financial resources.

2dly. "That such lotteries have further been attended with peculiar evils, which the severest regulations have failed to extinguish, and which have been repressed only by laws whose provisions are arbitrary and unconstitutional, and their enforcement liable to the greatest abuse.

3dly. "That this House, therefore, will no longer authorize the establishment of state lotteries, under any system of regulation whatever"

Mr. *Scrope Bernard* rose to second the motion. It appeared, from what had occured in the reign of king William, that the evil of lotteries was created by government itself. By a statute passed in the 10th of that reign, they were abolished; but in the 8th of queen Anne it was thought that they would furnish an easy mode of raising money, and they were therefore introduced as one of the articles in the ways and means. A noble political writer; had declared, that arbitrary gevernments resembled the devil in many respects; they were first the tempter, and then the tormentor. Nothing could apply more strongly to the whole system of the lottery; and as it had always produced so many evils, and tended more than any other means of taxation to corrupt the public morals, he trusted that the House would not permit it to be continued.

The *Chancellor of the Exchequer* thought, that if the system of the lottery were so exploded in the opinion of the people as had been represented, the hon. mover might have spared himself the trouble of the motion he had made; this, however, appeared not to be the case, at least the last lottery had proved more profitable to the contractors than any preceding; the question, therefore, must be argued at once on the evils that were supposed to result from the system. He should be at a loss to point out any mode of raising money that was not attended with some evils; and if the hon. gentleman could do so, he should feel much obliged to him. He thought the lottery could not be called illegal, nor the purchasing of tickets gambling; for the purchaser knew the disadvantages under which he bought the ticket, and also considered himself as contributing to the necessities of the state. The profits of the office-keepers had not been inordinate; for though a ticket which cost 16*l.* was sold for 20*l.*, yet so many remained unsold, and so great was the expense of advertisements, that the profits on the whole seldom exceeded 6 or 8 per cent. for the money advanced. The real objections to the lottery were the collateral evils of insurance and little-goes that arose out of it these evils were at a great height when the lottery was 40 days in drawing; but they were almost entirely remedied now that only four days were allotted for drawing. As to private lotteries, they, instead of being promoted, were entirely set aside by the competition of state lotteries. The severe penal laws against gambling had not been rendered necessary in consequence of the state lottery, but would have been enacted though no such lottery had existed. Cases of doubt, and perhaps hardship, must sometimes arise from the very nature of the witnesses that appeared in prosecutions of this sort; but of all the witnesses who had hitherto been brought forward, not one had been indicted on account of his oath. As to the evils which it was said were occasioned to the lower classes, he thought that, from the price of the lowest share (30*s.* for a 16th), they could not very generally speculate in the purchase; and the penal laws, instead of opposing them, were made almost entirely for their protection. But the papers laid on the table presented a better prospect than usual of the effect of those laws; for though there had been more informations in 1815 than in 1814, there had been much fewer convictions, and he hoped that the extending instruction of the lower classes would, in a short time, enable them to see and avoid any evils that they might at present be supposed to experience.

Sir *S. Romilly*, knowing the private virtues of the chancellor of the exchequer, was surprised at the levity with which he had treated this subject. He (sir Samuel) was of opinion that whenever that House voted a lottery, they voted, that many who were then deserving characters, should become unprincipled gamblers. This opinion he supported by a reference to the Report of 1808. He pointedly condemned those infamous arts, by which the industrious mechanic, the faithful servant, and the laborious apprentice, were lured to speculate in the lottery, to their destruction. The right hon. gentleman hoped in time the progress of education would put down the evil. How was this to be expected? The poor, from the instruction they received, would learn to read those disgraceful puffs which appeared all over the town, and would thus be more likely to be deluded. He thought it most injurious to the public that five or six lotteries should be drawn in every year Could the right hon. gentleman believe the spirit of gambling would exist to the same extent in the country, which it now did, if there were no state lotteries? Would foreign lotteries or little-goes spread the same snares for the unwary to which they were now exposed? Would these be advertised at the corner of every street? Would it be possible to pass through no village in the nation without seeing their placards posted to tempt the thoughtless, by the hope of gaining prizes of 20 or 30,000*l.*? He believed, the great increase of crime which had been remarked of late years was in a great measure caused by the state lotteries. At the commencement of the present reign, the convictions averaged 400 a-year. The number was now swelled to 1,400. A very few years ago they did not exceed 990. This he believed to proceed from the source he had named. To the lotteries he attributed that rapid accumulation of crime, which, in a few years, had increased the number of convictions as five to fourteen. He could not agree with the chancellor of the exchequer that the present mode of drawing the lottery prevented insuring. In the last year there had been 116 convictions, and 137 prosecutions. If there was a decrease in the number of convictions, he contended it could not prove in this particular instance a corresponding diminution of crime. This he showed had been ably explained by the committee of 1808. The crimes committed in consequence of the establishment of state lotteries, would in his opinion be cheaply bought off for 600,000*l.* per annum. Instead of doing this, we excited these crimes to gain the paltry sum he had mentioned. We ought not thus to expose the poor to temptation, and then punish them for falling into the snare.

Mr. *Wilberforce* objected to lotteries, as tending to encourage direct gambling more than any other circumstance whatever. There could be no excuse for a lottery, because it was in itself a vicious transaction. It tended to the destruction of domestic happiness, by tempting the subject to deviate from those habits of sober industry, which persevered in, could not fail of bringing their possessor comfort. If it were now proposed for the first time, he was sure no man would be found to support it. He anxiously hoped that an end would be put to it. The progress of education he feared would not stop the evil; he even feared this might augment it. He thought it was therefore fit that the temptation now held out, should no longer be suffered to seduce the poor from the path of honest industry. He should never forget the statement once made by the late member for Bedford of the cases of distress which had come to his knowledge originating in the lottery. He hoped the period was not far distant, when this part of our financial system would be done away, and that it would not again be in the power of a member of that House to make another statement like that to which he had referred.

Mr. *Lockhart* described the lotteries to be the source of incalculable mischief to the community, and put it to the right hon. gentleman opposite, if his saving banks could be of any use, while the poor were thus induced to gamble away their savings.

Mr. *Lushington* appealed to the House whether it was consistent to abolish the lottery after having voted the sum to be raised by it. Lotteries were not now attended with such pernicious effects as in former times. His right hon. friend, he was sure, would be happy to abolish them, if any other means could be pointed out for raising the money that they yielded.

Mr. *Butterworth* expressed his conviction, that the system of gambling was most injurious amongst the lower orders. Of 22 young convicts, who were now in Newgate, and whom he had an opportunity of examining, not less than 18 had commenced the career of vice, by gambling for trifles in the streets. That spirit of gambling, he believed, was nurtured by the number of lottery puffs which were carried through the town, and which awakened those mischievous feelings, that, probably, would not otherwise have been excited.

Lord *Compton* opposed the resolutions. He conceived that much of the mischief of lotteries would be done away if they were not let out to contractors, but managed by a government office. The system of puffing might be then dispensed with.

Mr. *W. Smith* believed, that much of the immorality by which this country was disgraced, arose from the custom which prevailed, of raising money, by any means, good, bad, or indifferent. The lottery was one of those impolitic expedients.

Mr. *Barclay* said, from what had been stated, it clearly appeared, that the lottery depended almost entirely on the lower classes of the people becoming the purchasers of shares: than which nothing could lead to more deplorable consequences. It was observed, that if there were no lottery in this country, the people would embark their money in foreign lotteries. But surely the right hon. gentleman would not assert, that foreign lotteries could create such an immense body of mischief, as those that were authorized in Great Britain. The motion had his cordial support.

Mr. *Lyttelton* replied. He observed that he had chosen to bring on the question on a substantive resolution rather than on the lottery bill, because he had no hopes of putting an end to the system on his first attempt. He thought a resolution, therefore, would be the best method of bringing on a general discussion on the subject. He said, that by far the greater part of lottery tickets were sold in sixteenths as appeared in evidence before the committee upon this subject, which circumstance served to show that the poor were the principal victims of this abominable system. As to the profits derived by the state from the existence of lotteries, he thought the assertion that the revenue obtained 200,000*l.* a year from postage, publications, and other means connected with the system, rather formed an argument against it, because it was so much taxation upon the public for the support of immorality. He understood that Mr. Hesse, the secretary to the lottery commissioners, had employed persons as informers after those persons had been detected in perjury.

The House divided: For the Resolution, 21—Against it, 47.

List of the Minority.

Abercrombie, hon. J.
Butterworth, J.
Barclay, C.
Babington, T.
Calcraft, John
Fitzgerald, lord W.
Gordon, R.
Horner, Francis
Jones, John
Lockhart, J.
Leader, W.
Moore, Peter
Madocks, W. A.
Morland, S. B.
Newport, sir John
Newman, R.
Parnell, sir H.
Ponsonby, rt. hon. G.
Smith, W.
Tierney, rt hon. G.
Wilberforce, W.

TELLERS.

Lyttelton, hon. W. H.
Romilly, sir S.

HOUSE OF LORDS.

Thursday, June 13.

THIRD SECRETARY OF STATE.] Earl *Grosvenor* was desirous of asking the noble earl opposite, whether at this period of profound peace there was any intention to put an end to the office of third secretary, or secretary for the war department? At this season of public distress, and when the duties of the office must be so much diminished that they might be performed in the offices of the other secretaries with a very little additional assistance, he wished to know whether it was not to be expected, from the patriotic spirit of the noble earl, that he should renounce the advantages of that situation?

Earl *Bathurst* said, that the colonies, which were formerly only 15, now amounted to 32, and the correspondence in his office for any of the years 1813, 1814, and 1815, was equal to the whole correspondence of the colonial office at the former period during which it was established. He was, therefore, without any personal consideration, quite satisfied that this office was absolutely necessary to carry on the business of the government. Reductions had taken place, but the office itself, as now conducted, was essential.

Lord *King* thought that by arranging the business in a different way, this office might be dispensed with. There was now, for instance, an establishment for the commander in chief, though on former occasions the business was transacted by the senior general of the army without any such expense.

The Earl of *Liverpool* contended, that the office was absolutely essential for conducting the business of the colonies, and that the continuance of the office of commander in chief was also essential to the discipline of the army; it was also of great importance in another point of view, as it took the army out of the reach of political influence, the promotions being regulated by military principles alone, and not by political considerations. As to official business being less, he could answer for the treasury that the business of that department had increased five-fold since the year 1801.

CIVIL LIST BILL.] On the motion for the third reading of this bill,

Earl *Grosvenor* thought the House ought to proceed no further with the bill at present, seeing that they had no information upon the subject to guide them, and that the only way of laying a proper foundation for any measure was to appoint a select committee with power to send for persons, papers, and records, in order to examine into all the details of the Civil List. He was satisfied, that by a select committee of their lordships such an inquiry would be carried on with all the delicacy due to the subject. The inquiry, however, appeared to him absolutely necessary—without it the bill was a delusion upon the public. So much delusion was there indeed in this measure, that he could prove, by the accounts on the table, that the expenditure of the civil list, had it not been for the exonerations, would have at this moment amounted to 1,600,000*l.*, double the amount of the civil list granted at the commencement of the present reign. Yet this statement was carefully kept out of sight by those who supported this bill. His lordship deprecated the droits of admiralty and of the Crown being at the disposal of the government in the manner now practised. It would surely be much better, and it was due in justice to the public, that these resources should be appropriated to the public service, and a sum granted to the Crown by way of compensation for them. Adverting to what had been said on a former occasion with regard to the civil expenditure of the United States of America, he maintained that the inference drawn from it was altogether erroneous, the amount of the civil list here being double that of the civil expenditure of the United States. It was a duty incumbent on their lordships jealously to watch this expenditure, particularly at this period of public distress, in order that no burthen might fall on the public that was not absolutely necessary. To all that was essential to the proper splendour and dignity of the Crown, he was disposed cheerfully to agree, but it was their bounden duty to prevent all lavish and wasteful expenditure. To the creation of the new office of auditor by this bill he decidedly objected, as altogether unnecessary. If such an office was thought requisite, surely it might be executed by one of the junior lords of the treasury, without burthening the country with any additional expense. He had now to advert to what he considered two serious charges against the noble earl at the head of the treasury. The first related to the expenditure relating to foreign embassies, and particularly regarding a right hon. gentleman (Mr. Canning) recently appointed to the board of control. This office had remained so long vacant, that he began to hope it would be abolished.

It appeared that the right hon. gentleman alluded to, had been at length appointed to it. How this right hon. gentleman, who at a former period had declared the noble lord at the head of the treasury to be incompetent to the duties of his office; who had declared incapable the secretary of state for the foreign department; and by whom the noble viscount at the head of the home department had not only been declared incompetent, but had been (if he might use such an expression) terribly quizzed.—How these politicians could now all act harmoniously together, he was at a loss to understand. It was true, however, that the right hon. gentleman who now consented to dovetail the administration might not wish to join the opposition, who had nothing to give, and this might operate upon him as it had operated upon others, who had quitted the frozen regions of opposition, to bask in the sunshine of royal favour. The charge that he had to make arose out of the appointment of this right hon. gentleman to the embassy to the court of Portugal with an enormous salary, and which the right hon. gentleman, in a speech to his constituents at Liverpool stated, was not sought by him, but thrust upon him; and he further stated, that since last April he had only waited the appointment of a successor, but that no successor for a considerable time arrived. He (lord G.) charged therefore the noble earl with a waste of the public money, in making and continuing such an appointment, though he must have known that there was no probability of the return of the court of Portugal to Lisbon. His other charge was, that the noble earl had diverted 70,000*l.* of the public money to the private use of the Prince Regent. It appeared by a paper on the table that 70,000*l.* out of the droits of the Crown had been devoted to the private use of the Prince Regent to pay for furniture and other articles at the Pavillion at Brighton. How the noble earl would answer these charges he was at a loss to anticipate. His lordship with a view to move for a committee of inquiry, moved to leave out the word "now," for the third reading of the bill, and insert "this day fortnight."

The Earl of *Harrowby* saw no grounds whatever to oppose the appointment of the auditor, and urged at some length the disadvantageous state of the civil list prior to the proposed arrangement.

Lord *Holland* was fully of opinion that his noble friend had the justest grounds for the motion he had submitted to their lordships. The subject was indeed worthy of the most serious attention, especially considering the declaration ministers had given in the speech from the throne, that economy should be attended to. With respect to the office of third secretary of state, he decidedly thought that it was an office which should be suppressed, and he founded his opinion on what had been stated by Mr. Burke. Besides, the duties of that office had in 1796 been discharged by the president of the board of control, which latter office was now to be filled by a late ambassador from Lisbon. He did not mean to say that this office was a mere sinecure, but certainly the reconciliation recently effected between two friends had been at the expense of the public. With respect to the new office, he certainly agreed in the general opinion, that it was the best thing a man could do to have his accounts audited at once, and thus to prevent perpetual jarrings. This appointment, no doubt, was during pleasure; yet he certainly concurred in the general idea of some check being necessary. On this ground he could not object to the principle of the appointment. Respecting the different comparisons made with the civil lists of America and France, he did not wish to go to either extreme. He would, however, refer to America. Now, the whole expense of the American civil list, taking the calculation at four dollars in the pound, did not amount to much above 400,000*l.* The diplomatic part of the government of America amounted only to 41,000*l.* whereas the embassy of lord Castlereagh alone cost 43,000*l.* The individual expense of the chief magistrate of America amounted only to 7,000*l.* annually, whereas the expenses of our royal family cost 790,000*l.* a year. Nothing was further from his wish than to abridge the proper splendour of the Crown in this country; but the comparison he had made showed that there was much truth in the observation of Milton, that the trappings of a monarchy were sufficient to fit out a republic.

The Earl of *Liverpool* was glad to observe, that whatever differences of opinion might exist, not one objection had been offered to the general principle of the bill. With respect to the appointment of a right hon. friend of his to the embassy at Lisbon, he begged to assure their lordships, that at the period of that appointment the most rational hopes were entertained of the Prince Regent of Portugal returning to his kingdom, and a vessel had actually been ordered by his royal highness for that purpose. Besides, the appointment of this ambassador was expected to be beneficial to both countries, and it had solely been undertaken with that view. With respect to the droits, his lordship argued that it was absolutely requisite to grant the Crown the uncontrolled anthority of disposing of these. With respect to the office of auditor, it was clear that such an office was absolutely called for. No man could doubt the necessity of accounts being properly audited. The object of this new appointment was, to inform the treasury of the exact amount of the expenditure, and by a rigid examination into the different parts of that expenditure, to become a check on extravagance. His lordship then entered at some length into a comparison of the civil list of this country with that of France prior to the revolution; and with the civil list of America, which he argued bore no comparison to ours. This country was a monarchical one, and it was an essential feature of monarchy to preserve its splendour. He firmly believed that the public offices in the country were generally rather under than over paid; and that, if all sinecures were abolished to-morrow, the result would be, that the expenses of government would be greatly increased.

After a short reply from earl Grosvenor, the motion was negatived; after which the bill was read a third time and passed.

HOUSE OF COMMONS.

Thursday, June 13.

Committals for Contempt.] Mr. *Bennet* prefaced his motion on the subject of persons imprisoned for Contempts of Court, by stating that there were five or six and thirty persons so imprisoned, who had been in gaol for various periods, some for so long a time as 26 years. One, a person of the name of Willes, imprisoned for 16 years for a contempt of the court of chancery, had for the last two or three years been insane. His allowance was exceedingly limited, and he was confined in a very small, and necessarily unhealthy apartment. Another, of the name of Williams, had been confined above 26 years. His memory had been so much injured by his long imprisonment, that he scarcely recollected the circumstances of his own case. He was obliged to support himself on an allowance of 3*s.* 6*d.* a week! There was another case of an assignee of a bankrupt, who, without any fault of his, had been sent by the lord Chancellor to the insolvent court, by which he was again referred to chancery, and thus bandied about, he had neglected, in consequence of the misinformation of his solicitor, to put in an answer to a bill filed against him, for which contempt he had now been imprisoned between two and three years. Many other cases existed of extreme hardship, and in order to put the House in possession of them, he moved, "That there be laid before this House, a return of all persons confined in the prison of the Fleet, or elsewhere, under processes issuing out of the court of chancery or exchequer, for contempts, with copies of the commitments, and specifying the names of the solicitors employed by the plaintiffs and defendants in the respective causes, and the nature of the contempt."

Mr. *M. A. Taylor* confirmed the statements of the hon. gentleman, and stated that the lord chancellor was very solicitous to grant the persons so confined, relief, but could not, without a compliance on their part with the necessary and legal forms. It was his learned friend's intention to institute an immediate and strict inquiry into all the circumstances of the different cases, and, if possible to find out some remedy for the evil. These unfortunate persons had frequently suffered, in consequence of the shameful neglect of their solicitors; but it was due to his noble and learned friend to say, that there was nothing in his power which he was not anxiously desirous to do in their behalf.

The motion was agreed to.

Petition against Mr. Justice Fletcher.] Mr. *Daly* presented a Petition, complaining of the conduct of Mr. Justice Fletcher. To him it appeared the petitioner had just cause for complaint, and he thought it desirable, that in such cases that House should make persons who were in authority feel that a power existed above theirs, which would not brook oppression or injustice in the exercise of their functions. The petition was then read. It set forth that the petitioner, the rev. J. Galbraith, a magistrate of Ballinasloe, in the county of Galway, had last year committed a man, and also a woman with whom he lived in criminal intercourse, charged with a cruel murder, which had been committed a short time before. They were committed for trial with the approbation of Mr. Justice Day, and in the course of the summer discoveries of great importance had been made, all tending to inculpate the parties. The petitioner complained of the manner in which he had been treated on the trial by Mr. Justice Fletcher, who had taken occasion to say, "he never knew any good to come of such committals." The prisoners were however convicted on the clearest evidence, and executed on the following Wednesday. The petitioner ventured to assure the House, that but for his exertions it was not likely these criminals would have been brought to justice.

The petition was ordered to lie on the table.

CASE OF THE REV. J. HAMILTON.] Mr. *Prittie*, in rising to submit to the House a motion concerning the magistracy of Ireland, took occasion to observe, that there were persons in that country very desirous of recommending themselves by their violent proceedings against those whom they considered disturbers of the public peace. At present he intended to confine himself to the case of Mr. Hamilton, curate of Roscrea, who had been appointed one of the magistrates of Tipperary, though he did not possess one acre of property in the county. The hon. gentleman then entered into a long statement. The purport of it was, that Mr. Hamilton, informed of the existence of treasonable associations, and of a conspiracy against his life, had sent a person to inquire into the truth of it, and acting on his report, had stuffed and placed in his drawing-room a figure to represent himself, which had been fired at, the pistols having been furnished by the person in Mr. Hamilton's confidence. In consequence of this outrage, fourteen persons had been dragged out of their beds at midnight, carried a distance of forty miles, and thrown into gaol, where they must have remained three months before they could be brought to trial, had not a special commission been issued on the occasion. These fourteen persons, when brought to trial, had been acquitted. The jury—one of the most respectable he had ever seen impannelled in that part of the empire, were quite satisfied that the prisoners were innocent. The prosecutors then became the accused, but the bill was thrown out by the grand jury, or, in the opinion of many they would have been cast on being brought to trial. He concluded by moving, "That there should be laid before the House, copies of the correspondence between the Irish government and the rev. J. Hamilton, curate of Roscrea, and magistrate for the county of Tipperary."

Mr. *Peel* observed, that he had no interest in misstating any thing concerning this matter. There was much disorder in Tipperary in November, and 40 magistrates applied to government to put six baronies under the act. There then was committed the atrocious murder of Mr. Baker, a magistrate generally much esteemed, but obnoxious to some for his activity in trying to restore tranquillity. Shortly afterward a conspiracy, as it was understood, was formed against Mr. Hamilton. Government did not give full credit to the information they had received from one man. Mr. Hamilton had procured assistance, and placed a figure in a room of his house dressed up like himself. The conspirators came, and fired a shot at it, upon which Mr. H.'s party seized fourteen of them, who were sent to legal trial. One of the party confessed his guilt voluntarily; but they all escaped. Government disapproved of Mr. H.'s proceeding, and had always avoided any measure to lead people into the commission of crimes. A witness on the trial guilty of prevarication was indicted, but the grand jury ignored the bill. He (Mr. P.) had communicated with the lord chancellor of Ireland on Mr. Hamilton's case, but his lordship said he did not wish to act in the case without official information. The apprehension of assassination, it appeared, was strong on the mind of Mr. Hamilton, who was in indifferent health, and had felt much alarmed. In all other respects he appeared to have been an active and useful magistrate; which excited dislike to him among the lower orders. He should certainly object to the production of the correspondence, and could not conceive any precedent more fatal to the peace of Ireland than to encourage inquiries of this nature without a proper foundation.

Mr. *Brougham* observed, that what had passed during the last hour, must be sufficient to convince every member of the necessity of probing the question to the bottom. He thought that when such statements as had been made relative to the conduct of one of the judges, were suffered to go uncontradicted, and such a charge as the present made against a magistrate, which even the statement of the last speaker did not refute; when these were considered, they would show that all was not right in the mode of administering justice in the sister island. He could not approve of the conduct of the lord chancellor Manners, who had required so much information on the subject before he decided. He would wish to know, whether the chancellor exercised the same prudence in every complaint of a magistrate which came before him? He would be glad to know, whether in every complaint against a magistrate which was substantiated, it was the practice of the chancellor not to decide until an inquiry had been made into the general conduct of such magistrate?

Mr. *Manners Sutton* defended the conduct of the lord chancellor of Ireland. In having sought for every information before he decided on this subject, he did that which was his duty.

Mr. *Ponsonby*, alluding to the petition against Mr. Justice Fletcher, observed that he had in his possession a letter from that judge which would fully repel the charge contained in that petition, but he did not wish to read it as he did not choose to prevent the petition of any individual from being read.

Mr. *V. Fitzgerald* did not regret that the present motion was brought forward, at the same time he did not feel himself called upon to support it.

Mr. Prettie, in reply, observed that after what had passed he should not press his motion.—The motion was then withdrawn.

CASE OF MR. O'HANLAN.] Mr. *Brougham* rose to present a petition from a Mr. O'Hanlan, a most respectable man who had practised at the Irish bar, but who retired from his profession, and went to reside at Newry, in 1796. Of the excellency of his character there could be no doubt, from a certificate which he held in his hand, signed by 230 of the most respectable inhabitants in and near Newry. Mr. O'Hanlan stated in his petition that he had been appointed a magistrate, from which office he had been removed without any just cause. That in a short time after he received a letter from the lord chancellor, acknowledging that he had been unjustly put out of the commission of the peace, and reinstating him. That he continued from that time to hold the commission of the peace until the present year, when he was again deprived of it. The petition also stated, that his being favourable to the claims of the Roman Catholics was the only reason assigned for his dismissal from the magistracy, and it added, that in a conversation which he had with the attorney-general of Ireland, he (the attorney-general) stated, that any one who supported the Catholic claims, whether with or without a veto, were endeavouring to subvert the constitution, and to introduce French jacobinism. The petitioner also described the attoney-general as having given his opinion strongly in favour of the Orange system. This was also, as the petition stated, the opinion of lord chancellor Manners, who had declared, that Orange societies were perfectly legal, and that a magistrate being an Orangeman, might with propriety sit on the bench to judge persons accused of being Orangemen. Such were the facts stated by Mr. O'Hanlan. If they were true, it was clear that the atattorney general, and lord chancellor of Ireland, held opinions, which, if not discountenanced by the government, would lead to the worst consequences. Mr. O'Hanlan stated, that he was put out of the commission of the peace, not for being of any party, but because he wished to be of no party. Mr. Brougham commented on the right which the chancellor had to expunge the name of any magistrate from the commission, which right, he contended, should only be exercised where a just ground existed. He then moved that the petition be read.

Mr. *Peel* adverted to the extraordinary circumstance of his being twice called on in the course of the same evening to answer to charges against the lord chancellor of Ireland; in the one case for not striking a magistrate out of the commission, and in the other for an opposite line of conduct. He would shortly state the facts of the present case, and then leave the House to judge whether my lord chancellor Manners had acted with propriety or not. The petitioner had lately been a magistrate of the counties of Armagh and Down. In consequence of a representation to the lord chancellor, some time in 1808, he was removed from the commission. The lord chancellor, however, having afterwards investigated the case more fully, admitted that in removing Mr. O'Hanlan, he had acted unjustly, and he in consequence re-instated him. He would ask if this fact was not alone a sufficient proof that the person who acted in this manly way, could not be swayed by motives of political partiality. The manner in which the lord chancellor acted was best explained in a letter from him to the marquis of Downshire, in answer to that which he had received from the marquis, accompanying Mr. O'Hanlan's memorial. It was there stated, that a complaint had been preferred by the chairman of the county of Down against Mr. O'Hanlan a short time before, and that in the opinion of the assistant barrister of the county of Down, his conduct was such that he ought then to have been removed from the magistracy. Instead of removing him, however, he had merely cautioned him not to follow a line of conduct, which made it impossible for any gentleman to act with him in the magistracy. In February last a memorial was transmitted to the lord chancellor by the bench of magistrates of the county of Down against Mr. O'Hanlan. A charge had been exhibited against a soldier for having assaulted a gentleman in the neighbourhood of Newry, and out of a bench of twelve magistrates and the assistant barrister, eleven with the assistant barrister voted for the conviction of the soldier, Mr. O'Hanlan alone differing from all his brother magistrates, against whom he delivered a most intemperate speech from the bench. After this they presented a memorial praying for his removal. It was signed by sixteen magistrates; and at the head of them was the assistant barrister Mr. Dawson, a different gentleman from the one who joined in the former complaint. It stated that Mr. O'Hanlan was in the habit of attacking his brother magistrates with language of a most unbecoming description—that at every trial for rioting he had constantly acted as the warm advocate of one party, and the opponent of the other; and that he had frequently delivered such sentiments as were calculated to excite the lower orders to turbulence and disrespect to the laws. He held in his hands a letter from the lord chancellor, stating, that he did not proceed to remove Mr. O'Hanlan, till he had had the opinion of baron M'Lellan in favour of that measure. These were the grounds on which he had acted. It had been asserted, that previous to such removal, an inquiry ought to have taken place into the conduct of Mr. O'Hanlan. But he would here appeal to a right hon. gentleman (Mr. Ponsonby) who formerly filled the same office, whether in proceeding to reform the magistracy of two counties he adopted such a line of conduct?

General *Needham* said, he was personally acquainted with fourteen out of the sixteen magistrates who had signed the memorial, and knew all of them to be men of reputable characters. They had often been called upon when that part of the country was in a disturbed state, to put themselves at the head of the military; and he never knew an instance when Mr. O'Hanlan had made his appearance on such an occasion. He had heard a character of that gentleman, which he did not think fit to state to the House.

Sir *H. Parnell* said, that Armagh and Down were divided between Orangemen on one side, and Catholics on the other. While such an animosity subsisted, it was not surprising that a bench of magistrates, entertaining particular political opinions, should express themselves unfavourably against an individual magistrate entertaining different political sentiments. Against these 16 magistrates, the House had the opinion of 243 most respectable persons in Newry, approving Mr. O'Hanlan's conduct.

Mr. *Jones* thought the conversation ascribed to the attorney-general and lord chancellor could only be the creation of a perverted imagination. He had always understood that lord Manners had so conducted himself, as to win the hearts of all parties in Ireland.

Mr. *Horner* said, whatever opinion might be entertained respecting the probability or improbability of the grievance complained of in the petition, that was no reason for rejecting a petition conceived in decent and respectful language. This would be giving a power to majorities of the House over petitions altogether unconstitutional. He had not heard the statement of his hon. and learned friend, but he was sure that he would not state it as his opinion that a magistrate ought not to be dismissed without such an inquiry into his conduct as took place in a court of justice. The power vested in the lord chancellor to appoint or remove magistrates, was, like other powers, to be exercised on responsibility: but such an exercise was different from a legal inquiry. The persons most interested in the character of the noble and learned persons, ought to vote for the petition lying on the table. The right hon. gentleman's statement fell short of what was expected from him, with regard to the cause of the dismissal. He should like to see a more satisfactory explanation of the causes of Mr. O'Hanlan's removal, showing that he was not dismissed entirely on account of his political sentiments. If he was dismissed on account of his outrageous conduct on the bench, he thought this proceeding against him was not strong enough. He should like to know if any of the 16 magistrates who signed the memorial, entertained the same political sentiments with Mr. O'Hanlan.

Sir *J. Newport* said, that the present case seemed to him to be an additional fact in support of his opinion, that while Orange societies were countenanced in Ireland, that country could never be at peace. Any magistrate who did not approve of them, became obnoxious to his brother magistrates. It should be the unremitting endeavour of the Irish government to put down all distinctions of parties which kept open the wounds which had bled so much.

Sir *J. Stewart* said, he had heard more of the division of Ireland in that House than any where else, and observed that outrages had been committed in the neighbourhood alluded to, not connected with party disputes.

Mr. *Ponsonby* said, that he thought some of the allegations in the petition were very improbable. Certainly the petitioner had a right to come to the House with a statement of his case. But he could say, that while he had the honour of holding the great seal of Ireland, he had never thought himself bound to state the specific reason for removing a magistrate There were many cases in which he had found himself bound to remove magistrates, in which, if he had been asked to state his reason, he would have refused.

Mr. *Brougham* replied, and contended, that no one had ventured to say that he disbelieved the assertions contained in the petition. The only weapon used against it was ridicule.

The petition was ordered to lie on the table.

HOUSE OF COMMONS.

Friday, June 14.

LIBERTY OF THE PRESS.] Mr. *Brougham* said, that in consequence of the advanced period of the session, he did not think it proper to urge forward a measure which went to occasion so fundamental a change in the law of the land, as the bill for the better security of the Liberty of the Press. This great advantage would attend its lying over, namely, that the attention of members might be turned towards the subject at leisure. Even within the last fortnight great prejudices had been removed from the minds of many hon. members, in consequence of their having investigated the merits of the measure. Convinced, as he was, that the more it was considered the more beneficial would appear the results to be expected from it, and pledging himself to bring the subject again under the consideration of the House early in the next session, he would now move that the bill be read a second time on that day three months—Ordered.

NATIONAL MONUMENTS.] Mr. *Tierney*, alluding to an advertisement which he had seen, for plans of the columns intended to be erected in commemoration of the battles of Waterloo and Trafalgar, wished to know what were the intentions of his majesty's ministers with regard to the erection of these columns? He had heard that it was intended to expend 150,000*l.* on each. He hoped it was not the case; but, at all events, he would suggest that nothing farther should be done until next session. Indeed, the feeling of the country, in its present distressed state, was very general against the erection of columns at so great an expense. The House should recollect that the 300,000*l.* was only the estimate; but, in every probability, the expense would amount to half a million before the columns were finished. The circumstances of the country were not such as to bear this additional expenditure; and it was the less necessary, as it only went to commemorate victories which must ever live in the recollection of British subjects. He took that opportunity of giving notice, that he should take the sense of the House on the subject; in the mean time, he hoped that nothing would be done by ministers with regard to them.

The *Chancellor of the Exchequer* observed, that it was not the intention of ministers to take any step towards the immediate erection of these columns before the next session. The right hon. member must have observed that the advertisement referred only to plans of these columns, which it was necessary to have from different artists, in order to have them considered as to their design and expense. These plans would be under the consideration of the treasury some time before they approved one, and when they did approve, it would be of that plan, which, being the best, was the least expensive. It would then be submitted for the consideration of the House next session; but, until then, the right hon. gentleman might rest assured no step would be taken to erect the columns. What had been done was merely to save time.

Mr. *Tierney* expressed his satisfaction at what he had heard. He had been induced to ask the question from having understood that it was intended to expend 300,000*l.* on the two columns.

Mr. *C. Long* observed, that if the right hon. gentleman found fault with the intended erection of these monuments, he should condemn the votes of the House, and not his majesty's ministers, who only wished to carry those votes into effect. If a sum was mentioned as the supposed expense, it was because it was impossible to get a plan or design of the intended columns unless some idea was given of the expense.

PUBLIC REVENUES CONSOLIDATION BILL.] The House having gone into a committee on this bill,

Sir *John Newport* asked the chancellor of the exchequer, if ministers persisted in their intention of creating, in addition to the place of Irish vice-treasurer, that of a deputy vice-treasurer.

The *Chancellor of the Exchequer* answered in the affirmative.

Sir *J. Newport* said, that this was creating a sinecure of 3,500*l.* a year. The only duty of the vice-treasurer was to countersign the warrants of the lord lieutenant to see that they were exactly conformable to the authority of parliament and the king's letters, and afterwards to see that the sums paid corresponded to the warrant. He had no duty to perform on this side of the water, and yet he was to have a seat in parliament, and a deputy to execute the duties of the office during his absence. The salary was larger than that which had been paid to the Irish chancellor of the exchequer, who had duties to discharge on both sides the water, and who was in consequence subjected to considerable expense. What was to be the salary of the deputy?

The *Chancellor of the Exchequer* said, as the deputy was not intended to be a parliamentary officer, it was proposed to give him 1,000*l.* a-year.

Sir *J. Newport* conceived, that giving the 3,500*l.* a-year to an officer who was purely ministerial, who had no discretion and no power, and giving 1,000*l.* a-year in addition to a deputy to execute that duty, was one of the most shameless jobs that had ever come before parliament. If the House should sanction such a proposition, they would proclaim to the country that every declaration of the necessity of retrenchment made by them, was only intended for purposes of delusion.

The *Chancellor of the Exchequer* could not see that shameless disregard of economy in this measure, which had been charged against ministers. The right hon. baronet had now seemed to admit that a vice-chancellor in Ireland was a necessary officer; the question therefore now reduced itself to a comparatively subordinate point, the amount of salary to be given to that officer. There was no analogy between the cases of Scotland and Ireland. In Scotland all orders emanated directly from government; but as a separate executive was to be continued in Ireland, there was no possibility of carrying it on, except by the ordering of payments through the medium of the vice-treasurer. As to the salary of the vice-treasurer, he would contend that the sum proposed was not more than sufficient. A gentleman of high rank and estimation in the country could alone adequately fill such a situation. The offices which it more immediately resembled were those of paymaster of the forces and treasurer of the navy. While the vice-treasurer of Ireland, 30 years ago, received from 10 to 11,000*l.* a year, surely it could not be thought that a vice-treasurer in the present times would be overpaid with 3,500*l.* a year. He was ready to admit that this was more than had been paid to the gentleman who, for the last three years, had executed the duties of chancellor of the Irish exchequer with so much ability; but then, in his opinion, that gentleman had been very much underpaid. The right hon. baronet had argued, that from the nature of the situation, it must become a sinecure; and he had contended, hat the creation of a new parliamentary officer was a violation of the act of queen Anne. But it would have been but fair to state, that in consequence of the present measure, out of six parliamentary offices, three only were retained. A deputy would be necessary, even if the vice-treasurer should be confined to a residence in Ireland at all times. He had stated the salary in contemplation to be given to the deputy at 1,000*l.*; but the whole of the vice-treasurer's office remained yet to be settled by the treasury of the united kingdoms, and this would come before parliament hereafter, along with the other parts of the new plan.

Mr. *Ponsonby* did not hesitate to call this the most shameless and profligate job that had ever been obtruded on the patience of the House. The bill proposed to appoint a vice-treasurer, with a salary of 3,500*l.* a year; it proposed a deputy with a salary of 1,000*l.* a year; and it proposed openly to violate the act of Anne, which rendered a person who held any new office incapable of a seat in the House. The right hon. gentleman had stated, that an individual of responsibility was required for the office: the truth was, that no responsibility whatever was attached to the office, the duties of which were nothing more than to countersign the warrants of the lord lieutenant of Ireland, and to see that they corresponded with the king's letter; and what extraordinary talent, what rank, what station, did this require? There was not a clerk in a merchant's office who was not as fully competent to the performance of this duty as the greatest man in that House. But the right hon. gentleman thinks it right that the person who performs this duty should have 3,500*l.* a year, and that he should retain his situation in parliament; and why? Was he to give any account to the House? He could give none whatever, for his office was purely ministerial. If any person could give an account, it was the secretary of the lord lieutenant: but this clerk (for a clerk he was to all intents) could give no account whatever, nor was he in any way responsible. This, then, was the whole of his duty, and for this he was to have 3,500*l.* a year; for this a deputy was to be appointed, and an act violated which was made to secure the dignity and independence of parliament. He should therefore move, that instead of 3,500*l.*, 2,000*l.* be inserted, and that the clause enabling the person who held the office to sit in parliament be struck out. He entreated the House most seriously to consider the step they were about to take: at a time when the distress of the nation was greater than had ever been known, they were going to establish a new sinecure of 3,500*l.* a year. If such a measure were adopted, they must, as a necessary consequence, lose altogether the confidence of the country, who could not consider the professions of economy, so often repeated, in any other light than as a mockery of their sufferings. He then moved, that the sum of 2,000*l.* be substituted for that of 3,500*l.*

Mr. *Peel* had heard only one new argument against the measure; and that was the enactments of the act of Anne against new offices: but the present bill put an end to eight old offices, and substituted only three in the place of them. Five lords of the treasury, a chancellor of the exchequer, and two secretaries, were now no longer maintained. If the consequence of this consolidation was the abolition of five offices, the right hon. gentleman would find it very difficult to raise arguments against the measure from such a reduction. The other argument advanced by the right hon. gentleman was, that the situation might be filled by a clerk: but would the right hon. gentleman apply this to the paymaster of the forces and the treasurer of the navy here? And yet the office in question was not one degree less important, inasmuch as the party who filled it had the control of the lord lieutenant's accounts, and the audit of the exchequer of Ireland. The right hon. gentleman indeed did not feel quite satisfied with the 2,000*l.* he had himself proposed; but thought that the same sum as was paid to the lords of the treasury might do. If any conclusion could be drawn from this, it applied equally to the great offices here: the duties of the treasurer of the navy were equally important with those assigned to this office. The right hon. baronet had said, that if 1,000*l.* a year was sufficient for the deputy, who would be required to perform the duty during half the year, 2,000*l.* would be enough for the principal, who would fulfil it the other half. This argument appeared to have no good foundation. The principal had not only half the duty, but the whole of the responsibility both of his own acts and those of his deputy.

Mr. *Ponsonby* said, that the logic of the right hon. gentleman was not conclusive. It was thus: parliament had abolished some unnecessary offices; *ergo*, they were bound to allow the ministers to create other unnecessary offices, and to violate a direct act of parliament. The right hon. gentleman had talked of the duties of the office—he would read the clause in the bill which described those duties. [Mr. P. then read the clause.] And yet this office was held up as equal to the great offices of the state! Why the treasurer of the navy should have 4,000*l.* a year he did not know. There was no one so capable of answering the question as a right hon. gentleman opposite (Mr. Rose). That right hon. gentleman might very well deserve 4,000*l.* a year for former services, but why that salary should be permanently attached to the office, he did not see. The right hon. gentleman had that night assented to the statement of the secretary of Ireland, that the office of treasurer of the navy was not more important than that office which the bill before them created. Yet they would recollect that on a former occasion he had burst into a flame, on an imputation being thrown out that he received 4,000*l.* a year, for doing little or nothing. His statement of that night might be more correct than that of a former night. But, at any rate, they would see the spirit of the proposal—because the treasurer of the navy had 4,000*l.* a year for doing very little, a new officer was to be appointed, who was to have 3,500*l.* a year for doing as little or less.

Mr. *Peel* thought it not a little surprising that the observations of the right hon. gentleman should be directed against that class of officers who received 4,000*l.* a year. [A laugh.] He could assure the right hon. gentleman that he did not make that allusion for the purpose of recriminating. He was aware that he received his pension in consideration of having relinquished his profession. But the treasurer of the navy had the same claim to his salary, and that was all he meant to insinuate.

Mr. *Ponsonby* declared, that he felt no desire to vindicate himself where there was no necessity. He received the sum of 4,000*l.* a year in consequence of having resigned the office of chancellor of Ireland, and that was the sum always granted in similar cases. He did not feel that he stood on the same footing with a person who received a salary for holding an office in which there was nothing to be done. If the right hon. gentleman did mean a reflection on him, which he could not suppose after his disavowal of it, he should have no objection to submit the charge, on its own grounds to the good sense of the House and of the country.

Mr. *Vesey Fitzgerald* said, it was almost unnecessary for his right hon. friend to disclaim that he meant any improper insinuation. Those who knew him would as little suspect him of it as the right hon gentleman opposite; nor was there any insinuation in what had been said.—But when we were told that those who sat near the treasurer of the navy alone could inform the House why he enjoyed 4,000*l.* per annum, it was fair to reply that he enjoyed it by the same title which the right hon. gentleman enjoyed the same pension, namely under an act of parliament. Both held their emoluments as the reward of public services;—and he believed that few men had served longer, more laboriously, or more usefully than the treasurer of the navy. The right hon. gentleman had called up the statute of Anne, and said it was violated by admitting the vice treasurer of Ireland to sit in parliament. He could tell him there were three vice treasurers in the reign of queen Anne, with more than three times the salary now proposed, who were every one admissible to parliament, and that without any one official duty to be performed by them in an English House of Commons.

Mr. *Rose* said, that he held his office in a manner still less objectionable than the right hon. gentleman, as it came annually under the consideration of parliament. He felt that the salary of 4,000*l.* a year attached to his office, was a fair reward for persons who had served the public faithfully in the course of a long life, and had made no provision for the latter end of their days. He would admit, that the duty of the treasurer of the navy was not commensurate to the 4,000*l.* a year. But it was one of those offices that were established upon the principle of rewarding length of services. In other professions gentlemen could make fortunes, and provide for the decline of life, but there were very few offices under government in which it was possible to save 100*l.* a year.

Mr. *Tierney* was never more surprised at any thing that he had heard in the course of his life than at the speech of the right hon. gentleman. Nothing could excite his wonder more than to hear him claiming his present salary as a reward for his past services. The existence of the office was in former times defended on different and more rational grounds. It was said in 1786, that it was necessary to reserve some places to be conferred on those who, though required to do no service in the office whose duties they nominally performed, might, as privy-councillors, or advisors of government in other capacities, suggest wise measures, or accomplish important objects. When he held the situation of treasurer of the navy, he was free to confess that he regarded it as a sinecure; and that, having an active deputy in the paymaster, he had no official business of any consequence to execute; but he did not consider himself as entirely useless, or receiving the public money for nothing. He was always ready to assist the government, of which he was a member, in any other department where his exertions were called for, or were likely to be beneficial. Not such was the plea of the right hon. gentleman. He modestly pocketed his salary as a recompence for past exertions, not as a remuneration for present. He had been very pathetic on the ill-requited nature of the public service; he had told the House, that the emoluments of office were scarcely sufficient to afford present support, and quite inadequate to supply a surplus for the future wants of age and retirement. But the right hon. gentleman had just forgotten one thing—that before he became treasurer of the navy, he had already reaped his reward. He had come to the enjoyment of 7,000*l.* a year from the public before he stepped into the treasurership of the navy. The right hon. gentleman, it could not be denied, had got a strong swallow. He could receive 7,000*l.* a-year and yet reserve an appetite for 4,000*l.* more in the shape of sinecure. The right hon. gentleman had once been questioned on his emoluments, and owned the moderate receipt of 7,000*l.* a-year of the public money; but this was all as a reward for past services. The right hon. gentleman could not but plead the same merits for all his family; and while he claimed emoluments for himself on the ground of past exertions, he anticipated the reward of his son. He made the public provide for him before he did any thing for the public, and had a place ready for him nearly as soon as he was born. The right hon. gentleman had been long employed in the service of the country, and had discharged his duties zealously and faithfully; but the public owed him nothing; there were no arrears of debt unpaid. He had done well for the public, and the public had done well for him. He had, in addition to his own rewards, secured for his son the reversion of the clerkship of the parliament, and all the patronage connected with it. He had secured for himself and his two sons places and emoluments worth nearly 20,000*l.* a year. This was the extraordinary liberality of the country to the right hon. gentleman; this was the mode in which his services were rewarded. The noble lord and his colleagues took great credit to themselves for their moderation and forbearance in limiting the salary of the Irish vice-treasurer to 3,500*l.* The present appeared to him the most deliberate, outrageous, and unjustifiable job that any set of ministers had ever the boldness to propose. He would go the length of calling it scandalous, as be believed that was a parliamentary word, than which he was allowed no stronger. The chancellor of the exchequer had made such a statement as could leave a doubt on the mind of no impartial person. He had said, that it was necessary to have a person as vice-treasurer, who might be useful to the ministers by his abilities and eloquence in that House, and it would be foolish to expect assistance without paying for it. They now required all the aid they could find in all quarters. They had lately a reimportation from abroad in the person of a right hon. gentleman, who was to be paid for his support 5,000*l.* a year. They were now to have another from the west of the Channel, and to pay him 3,500*l.* As the country was to pay this sum professedly for the benefit of this gentleman's parliamentary talents, it might be proper to institute a parliamentary inquiry into their extent and usefulness. Were they worth 3,500*l.* a year? There should be an estimate of them, that we might not be cheated in the bargain we made, or the sum we paid for them. But if it was necessary that Ireland should have her dignity maintained by a vice-treasurer, why not keep him in Ireland? What was the use of him, unless he resided in the country where the sphere of his duties lay? He was to be a check, forsooth, on the lord-lieutenant; but what became of the dignity of the lord-lieutenant thus checked by him? Nay, he was to leave the lord-lieutenant to be checked even by his deputy! At a moment when the country was weighed down with taxation, it was extraordinary that any set of ministers should dream of adding to their burthens by creating a salary of 3,500*l.* a year. This was a salary to one who had to support no rank, who had to maintain no state, who had to exhibit no representation, and consequently required no consideration for splendour or expense. He might live in an ordinary lodging in Dublin, and perform all his duties as efficiently as if he enjoyed a palace. He was merely to perform duties that any man of common education was perfectly able to execute. But then ministers were not contented with giving him a great salary, and supposing him a person of abilities, but they were also to give him a deputy. His business lay in Ireland; but when he came over to enlighten the British parliament, he was to intrust his office to a deputy; who was likewise to have a salary of 1,000*l.* a year. This deputy would represent, after a year or two, that his duties were very heavy, that his principal stayed away long from Ireland, and might work upon the gentle and yielding disposition of the chancellor of the exchequer till he obtained the desired increase. Ministers had now got nearly to the salary of the treasurer of the navy and his deputy. Can they believe that the country will view this without disgust? How many poor clerks must be dismissed to make up the salary of this officer, to compensate for the expenses of this vile, rank, coarse, vulgar job. He could bestow upon it no other epithets. Some of the lords of the former treasury, who had 1,200*l.*, might have been prevailed upon to accept of this office for the same amount of emolument. If ministers wished to proportion the salary to that of other offices, why go to sinecures? Could they not find other offices worthy of furnishing a rule for the salary? The privy seal had 3,000*l.* a year, the master of the mint 3,000*l.* a year, the chancellor of the exchequer 2,500*l.* Why was government to import a vice-chancellor from Ireland for 3,500*l.*? Let the House consult its character and its dignity, and resist this infamous job.

Mr. *Gipps* thought 2,000*l.*, a year was quite a sufficient salary for this office.

Lord *Castlereagh* said, that he could not entertain propositions like those of the right hon. gentleman, that the responsible offices of the country were to be set up as if by auction, and that those who were disposed to take the least for their services, were to be preferred. It had always been considered in Mr. Burke's plans of reform, that the salaries of high public offices should be estimated by a regard to the due influence of the Crown, as well as by a reference to the duties to be performed. It would be impossible otherwise to obtain men of rank and consideration to fill these situations. The right hon. gentleman had employed many arguments *ad captandum;* but he would remind the House, that when his friends were in power they gave no practical instances of their doctrine, which was only enforced when their minds were enlightened by the climate of opposition. That the present appointment was framed upon a view of a just balance of influence and not on the principle of invading the independence of parliament or the liberties of the country, was sufficiently manifested by the fact, that the operation of this bill would be to abolish eight parliamentary offices, and to create only three. It was, however, an unwise principle of economy which would always measure the salary precisely by the duties of each particular office. It had been at all times deemed more advisable, that while some situations were underpaid with respect to the labour attached to them, others should be overpaid, and constitute ulterior rewards for a long period of able services. It was more necessary that some appointments of station and dignity should be maintained in Ireland than in Scotland, because there was an executive in Ireland, and because the existence of a privy council in that country necessarily created a diversity of public business requiring the attention and assistance of eminent individuals. Without this office the Irish government must be left with no other support than that of his right hon. friend (Mr. Peel.) The present office was not new: the financial business of Ireland had been formerly conducted by three vice-treasurers, each with a salary of 3,500*l.*

Sir *J. Newport* observed, that by the act of 1807, the administration of that day abolished no less than 38 sinecure offices in the customs of Ireland.

Lord *Castlereagh* said, the offices in question were not abolished at once, but were only to expire with those who held them. However this might affect the patronage of subsequent administrations, it had not at all reduced that of the then existing ministry, who also took care to create some new offices of rather an extraordinary nature.

Sir *J. Newport* observed, that the predecessors of that ministry had granted all these offices in reversion.

Colonel *Gore Langton* protested against the measure as a scandalous job, by which ministers seemed determined, instead of mitigating, to mock the sufferings of a loyal people.

Mr. *Stuart Wortley* could not help saying that he thought this a very unjustifiable demand upon the public purse. It was no argument to him that because eight unnecessary offices had ceased, three unnecessary ones ought to be created; and he could not doubt but that a salary of 2,000*l.* a year would be sufficiently sought after by persons competent to discharge all the duties of the office.

Mr. *Huskisson* defended the clause against the observation, that it violated the 6th of Anne. His own office of surveyor of the woods and forests, as well as that of the president of the board of control, had been created since that act, and both had been made compatible with a seat in parliament.

Lord *A. Hamilton* reprobated the clause as disgraceful to the character of the House.

Sir *F. Flood* had listened attentively to the debate, but had not been able to decide how he ought to vote. He had considered himself as a juror whose verdict should be governed by evidence, but all he had heard had only left him more completely in the dark. He deprecated as odious the comparison between what was received by his right hon. friend, the late chancellor of Ireland, and the emoluments of a right hon. gentleman (Mr. Rose), who had avowed that he received more than he deserved.

Mr. *Methuen* begged to ask, whether the hon. member on whom the new office was to be conferred was then in the House, as he could not think it decent that he should vote upon the question?

Mr. *Wynn* condemned the mode so frequently adopted by the noble lord opposite, of recriminating upon that side, as to its conduct when in power, instead of defending himself from charges that were urged against him. Even if the noble lord could prove all which he asserted, it would be no argument in justification of his own conduct. With regard to the auditor's bill, however, it was a little unfortunate for the noble lord, that that bill passed through parliament without one dissentient voice. With respect to the question more immediately before them, he thought it one to which that House ought not to accede. Much observation had been made upon the act of queen Anne, but certainly when he recollected what had occurred within the last eight and forty hours, he could not feel greatly disposed to rely upon any interpretation of that act, coming from the other side of the House. They who contended that accepting the treasuryship of Greenwich hospital did not vacate a seat in parliament, might with equal propriety maintain that the creation of a new office was compatible with a seat in that House. The real spirit of the act, however, was, that no new office should be tenable with a seat in parliament. He hoped the question would not be carried. The session had opened with professions of economy from the throne, and now it was to conclude with the creation of a sinecure office of 3,500*l.* a year. With what face could gentlemen meet their constituents after having assented to such a job, at a time when the table of the House was loaded with petitions for economy and retrenchment.

Mr. *H. Martin* wished to know in what would consist the responsibility of the vice-treasurer? It appeared, that he was merely to countersign the warrants for the issue of money, previously signed by the lord-lieutenant. Was he to have any control over the lord-lieutenant? Could he refuse his signature? If he could not, and if he possessed no control, he should like to be informed as to the nature of his responsibility?

Mr. *Brand* was astonished at the total want of argument on the other side of the House. He congratulated the House and the country on the reduction of the several offices in Ireland, which the noble lord had alluded to, but in fact these reductions were the necessary consequences of the consolidation of the two exchequers. He considered that as the chancellor of the exchequer for Ireland had been remunerated with 3,000*l.* annually during his office, there was no reason whatever for attaching an additional 500*l.* to this new appointment. Supposing, for example, the same individual to be appointed to this new office, he did not conceive there was any propriety in increasing the salary. Looking on this transaction as a mere job, he trusted it would excite the disgust and indignation of the House, as he had no doubt it would excite those of the country.

The House then divided: For the Amendment, 66; Against it, 108.

List of the Minority.

Abercrombie, hon. J.
Althorp, lord
Bennet, hon. H. G.
Birch, J.
Brand, hon. T.
Burrell, hon. P. D.
Burrell, sir C.
Burrell, Walter
Boughey, sir J. F.
Blackburne, J. J.
Babington, Thos.
Beach, W. H.
Bolland, John
Carew, R. S.
Calcraft, John
Chetwode, sir J.
Daly, James
Duncannon, lord
Fergusson, sir R. C.
Finlay, K.
Frank, Frank
Gipps, G.
Gordon, R.
Gaskell, B.
Hammersley, Hugh
Hamilton, lord A.
Horner, F.
Hurst, Robt.
King, sir J. D.
Lambton, J. G.
Langton, W. Gore
Lefevre, C. Shaw
Lloyd, sir E.
Lyttelton, hon. W.
Law, hon. E.
Lockhart, J. I.
Lester, B. L.
Macdonald, J.
Madocks, W. A.
Martin, H.
Monck, sir C.
Moore, P.
Methuen, Paul
Marryat, J.
Newport, sir J.
North, D.
Newman, R. W.
Osborne, lord F.
Portman, E. B
Parnell, sir H.
Powlett, hon. W.
Philips, G.
Piggott, sir A.
Ponsonby, rt. hon. G.
Prittie, hon. A.
Ridley, sir M. W.
Rowley, sir W.
Smith, John
Sefton, earl of
Tavistock, marquis
Tierney, rt. hn. G.
Waldegrave, hon. W.
Warre, J. A.
Wilder, gen.
Wortley, S. S.
Wynn, sir W. W.

TELLER.

Wynn, C.

Mr. Ponsonby moved, that the clause rendering the vice-treasurer eligible to sit in parliament be left out.

Lord *Castlereagh* opposed the amendment, on the general ground that several offices which might be held by members were abolished by the bill.

Mr. *Tierney* said, that the clause was nothing more nor less than recognising this new office to be a mere sinecure.

Mr. *Wortley*, though against the salary, was in favour of this clause. As so large a salary was given, it was to be presumed that a man of talents would be appointed to the office, and it was advisable that parliament should have the benefit of them.

Mr. *Ponsonby* was surprised at the inconsistent conduct of the hon. gentleman, in first voting for a small salary to the vice-treasurer, and then voting for his being a member of the House, on the ground of his having got a large one. What was this but an invitation to ministers to be extravagant?

Sir *M. W. Ridley* expressed his surprise that gentlemen whose efforts had abolished the income tax should now vote in support of every scheme of extravagance. If it was necessary to have a man of talents to fill the office, it was not in that House that his talents should be employed. He pronounced the whole a rank and unconstitutional job.

Mr. *E. Littleton* said, that though he had voted for the salary, he should vote against this clause.

Mr. *W. H. Lyttelton* was surprised at the inconsistency of his hon. friend, and hoped he would compensate for his vote that night by another on some future occasion.

Sir *John Newport* besought the committee to think what they were now doing, as, by granting the vice-treasurer a seat in the House, they were burthening the country with an additional expense of 1,000*l.* a year for a deputy. They were also abstracting him from his duties on the other side of the water, and bringing him here for no other purpose than to support the treasury bench.

The committee divided: For the amendment, 57: Against it, 107. The House being resumed, the report was ordered to be received on Monday.

HOUSE OF LORDS.

Monday, June 17.

State of the Coinage.] The Earl of *Lauderdale* rose to move for a committee on the state of the currency. His lordship contended that the proposed silver coinage was founded in erroneous principles, and that it would burthen the country with an enormous expense without any benefit resulting from the measure, which would ultimately be found unavailing, as the coin would be soon withdrawn from circulation. The proposition for making gold the legal standard of the country was, he maintained, unsupported by any writer of authority upon the subject, with the single exception of the late earl of Liverpool, and was not founded in sound principles. Gold, it had been said, ought to be the standard because it was less liable to fluctuate in value, compared with silver. This, however, he denied as inconsistent with experience, and contended, with reference to another point, that silver was greatly preferable, as a standard, to gold, because the silver coins were less liable to be diminished, there being only one-fifteenth part of the temptation to diminish the silver coins that there was to diminish the gold coins, from which circumstance a much less number of offences would arise with regard to the coin, a consideration that ought always to have great weight. Silver maintained a steady value in France, because it was made a legal tender, whilst gold fluctuated, and the gold coins were transferred according to the price of the day—a proof that a silver coinage might be rendered a proper and effectual standard. Another important consideration was, that in all countries, with which chiefly we had mercantile dealings, silver was the standard, and it was impossible, if we had a gold standard, that we could ever have a par of exchange with them. It was impossible also that we could have a proper silver coinage, whilst gold was the standard, because silver would be taken without regard to its value. His lordship adduced the authorities of Mr. Locke, sir Isaac Newton, and Mr. Harris, in support of his principal propositions. He observed, that the enormous burthen which would be thrown upon the public by this measure, was what ought not to be suffered, particularly in the present period of distress, and for a measure which was contrary to all authority and experience. The sum voted for the expense of the new coinage, that is to say, for the difference between the real value of the silver now remaining in the mint, shillings and sixpences, and the nominal rate at which they were exchanged, was 500,000*l.* But as not more than one in twenty of the shillings and sixpences now in circulation had ever seen the mint, it followed that the loss upon the public must be nineteen fold, or 9,500,000*l.* Was this a loss that ought to fall upon the public, under present circumstances? To suppose, likewise, that the mint coins circulated at the rate of 5*s.* 6*d.* per oz. could continue in circulation, along with bank tokens issued at the rate of 6*s.* 8*d.* per oz. and with Irish bank tokens issued at the rate of 7*s.* 3*d.* per oz. was a mere theory, at variance with all experience, and yet for this unsupported theory they were called upon to incur all the expense and risk of this coinage. There was still, however, a more important objection arising out of the paper circulation. His lordship quoted from the book of the late earl of Liverpool, an opinion given in 1805, that the then extent of the paper circulation rendered it impossible to take proper measures for a new coinage. Yet since that period the amount of bank of England notes in circulation, then 15,000,000*l.*, had increased to 25,000,000*l.*, and the number of country banks issuing notes, then 517, had increased to 640. By the measures likewise of the government this session the bank of England were compelled to make an additional issue of notes. How then, was it possible that this great mass of paper, over the issue of which there was no check or control, should not interfere with every measure of coinage? It was well known that a very small rise in the price of metal above the denominations of the coins composed of it, caused them to disappear from circulation, and he did not see how this result was to be avoided, with regard to the present coinage, there being no security against a rise in silver, in consequence of the facility of issuing paper. The arguments he adduced upon this subject were only brought forward with a view of urging inquiry, and when, as it recently appeared, the government themselves had so little made up their minds upon a subject which required mature deliberation, that the guinea, which it was at first said should be 21*s.* should be now 20*s.* a change to which he (lord L.) did not object, though, perhaps, it might not altogether suit certain professional men, it must be surely evident that inquiry was necessary, before they resorted to any measure of coinage. If the government chose to resort to such a measure, in contradiction to all received authority upon the subject, and to all experience, merely upon their own theory, the responsibility must be upon them, and a heavy responsibility it must be. The noble earl concluded by moving, "That a committee be appointed to inquire whether or not there was any probability that the intended silver coinage would remain in circulation, whether or not it was expedient to make gold the standard measure of value, and whether or not it would be advisable to constitute silver a legal tender to any amount."

The Earl of *Liverpool* said, that the opinions which he had formerly expressed to their lordships had been fully confirmed since that period. He contended that gold ought to be the standard of value. The great advantage which gold had over silver was, that it was less variable in value. It was easy to keep the gold standard perfect, but not the silver. What was proposed was not an innovation; it was a recurrence to the former system, from which no inconvenience had been felt. As to the change in the denomination of the gold coin, which had been agreed to since the measure was first mentioned in parliament, that made no alteration in the principle of the measure. For himself, he should prefer an adherence to the old coin of guineas; but as practical men seemed to think that pounds would be more convenient, he had no objection to the change. He did not think the evils attendant on the calling in of the silver currency would be so great, as it was by some supposed they would be. He did not conceive there was any danger that the new currency would be melted in order to forge bank tokens before the latter were called in, which would be done as speedily as possible after the issue of crowns and half crowns. Adverting to the great fluctuations in the exchange between great Britain and other nations, he observed that he had always attributed those fluctuations to the great foreign expenditure. As soon as the peace was signed, the exchange had improved in our favour, and only the renewal of a great foreign expenditure could, in his opinion, occasion a renewal of its depreciation. Satisfied, as he was, that the noble earl's motion, if agreed to, could throw no new light on the subject, he must be under the necessity of opposing it.

After a short reply from the earl of Lauderdale, the motion was negatived.

HOUSE OF COMMONS.

Monday, June 17.

MAD-HOUSES BILL.] Mr. Rose having moved that the report of this bill be taken into further consideration,

Lord *R. Seymour* observed, that the right hon. gentleman had great merit in having taken up the cause of the unfortunate lunatics. No class of society so strongly required the protection of parliament as these numerous and helpless sufferers. When parliament in 1774 passed the bill for the regulation of all licenced madhouses, it must have meant, by the visitation and inspection to which it subjected those houses, to do three things: in the first place, to secure all persons against unnecessary confinement; in the second, to better the chance of recovery to all such persons confined, as being insane, as well by moral treatment as by the use of medicine; and, thirdly, to insure the restoration of all such of the last persons as might become again of sound minds to society, to their friends, and to their employments. But the madhouse act does none of these three things, for it does not empower the commissioners to discharge a patient, however sound in mind, nor does it furnish them with the means of enforcing the observance of any improvement they may recommend to the adoption of the madhouses. The commissioners indeed may withdraw the licence of any madhouse when they see fit to do so, but the keeper of such house must again have a licence on the next licensing day, if he wishes it, for the act imperatively directs, that every person who shall require a licence shall have it, upon giving the requisite securities. It was not surprising that with those limited powers of the commissioners the greatest abuses should have been found to prevail in some of these houses, and that medicine should have been seldom, if ever, applied to the correction and cure of mental disease. In one public hospital indeed, that of Bethlem, the patients are periodically physicked, bled and vomited, and this too, he feared, without much reference to any difference of circumstances which may exist between case and case. The madhouse act directs that five commissioners shall yearly be elected by, and from the college of physicians, three of whom, attended by a secretary, shall at least once every year visit every licenced house within the cities of London and Westminster, and also all such as are within seven miles of either of them, and likewise all those which are within the county of Middlesex. It further directs that they inspect and take minutes of the state and accommodation of all these houses, as likewise of the treatment of their patients, a fair copy of which minutes was to be laid before the college of physicians. But from the great number of these houses (thirty-six), and their being spread over a vast area of ground, the duty imposed on the commissioners was prodigious, and the remuneration allowed them so pitifully small, that it would scarcely satisfy the coachman who drove them from house to house, each commissioner receiving only one guinea for every house he inspects. Under these circumstances it was natural that the visits of the commissioners should become short and hurried. In one instance, 406 patients

Irving, J.
Lovaine, lord
Lowther, Jas.
Manners, gen.
Manning, Wm.
Pringle, sir Wm.
Scott, sir Wm.
Seymour, lord R.
Sheldon, R.
Stirling, sir W.
Stopford, hon. sir E.
Valletort, lord

Mr. *Ponsonby* said, that the arguments used by the gentlemen opposite, in favour of the vice-treasurer having a seat in parliament, had been chiefly founded on the magnitude of his salary; that salary being now reduced to 2,000*l.* a year, and the same grounds no longer existing, he should think it his duty, on the third reading of the bill, to oppose the clause for giving that officer a seat in the House, if ministers had the face to propose it after what had just taken place.

The *Chancellor of the Exchequer* maintained, that it was not on account of the magnitude of his proposed salary that it was intended to give the vice-treasurer for Ireland a seat in parliament, but it had been considered that a person entrusted with so high a charge must necessarily be fit to sit in that House, and could not but prove an acquisition to it.

Mr. *Tierney* wished to know what qualities, in the opinion of the chancellor of the exchequer, rendered a man fit to hold a seat in that House?

Mr. *Bankes* objected to the creation of a deputy to enable the vice-treasurer to have a seat in that House, unless he should be paid out of the salary of his principal. He contended that the vice-treasurer should remain in Ireland, where the monies were to be issued, and not augment the number of placemen in parliament.

Sir *John Newport* said, the deputy would have the control of the whole office while the vice-treasurer was absent in parliament; what then became of all the arguments about responsibility?

The bill was ordered to be read a third time on Wednesday.

INSOLVENT DEBTORS.] Sir *C. Monck*, after adverting to the report of the committee upon the operation and progress of the Insolvent Act, observed, that it was deemed most expedient, as a temporary measure, to suspend the evil consequences of that act, leaving it to a future session to consider of an effectual remedy for all its ill effects. That this act had disappointed general expectation, there could not be a doubt; for the act had been found to give rise to considerable fraud. But still it was thought desirable to secure the clemency of the law to unavoidable misfortune; therefore a large discretion would be granted by the bill which he proposed, to the commissioner of the insolvency court, to enable that meritorious gentleman to discriminate between fraud and misfortune. The hon. baronet concluded with moving for leave to bring in a bill to amend the act of last session, and to give further powers to the court appointed by that act.

Sir *C. Burrell*, understanding that this was to be merely a temporary bill, would not oppose it. He had witnessed several frauds which had been committed by debtors, and he was glad to find that some mode was likely to be adopted by which the honest and industrious tradesman might be protected.

Mr. *Lockhart* trusted that the House would feel that the committee had come to a proper decision in proposing only a temporary measure. The whole object of the bill was to give power to the commissioners, if it should be found that debtors had been guilty of gross injustice towards their creditors, either in contracting debts without adequate means of paying them, or in squandering money to take from them the benefit of the act, and confine them for a certain time. He had foregone his projected measure for entirely suppressing the insolvent debtor's court in favour of the present bill.—Leave was then given.

HOUSE OF LORDS.

Tuesday, June 18.

ALIEN BILL.] On the question for the third reading of the Alien Bill,

The Earl of *St. Germans* supported the bill, contending that the spirit of Jacobinism was not yet extinguished, and though it was down, yet this bill was necessary to keep it down. Alien bills had been of most important service to the country for more than 20 years past; no abuse had taken place in their execution, and there was not the slightest reason to apprehend that any abuse would take place in the execution of this bill. If the bill were not enacted, this country might become the resort of the most disaffected aliens, whose projects might be pregnant with danger to the peace of this country and of Europe.

The Earl of *Darnley* thought it a most fallacious argument, that because there had been alien bills during a period of war, that therefore a measure of that description was necessary in a time of peace. It might as well be said that the suspension of the Habeas Corpus ought to be continued, because it had once or twice been necessary. He thought the apprehension of danger now to be absurd; if aliens were disposed to plot against this government how were they to set about it? Or if they came to this country to conspire against the Bourbons, how could they carry any project into effect? No necessity whatever had been proved to exist for this measure, nor any reason established why they should resort to such a departure from the principles of the constitution, and from the practice of that hospitality for which we had been distinguished towards foreigners.

The Earl of *Morley* observed, that the question was not whether the bill which had hitherto existed should continue, but whether a restricted measure should be enacted, and that a temporary one. Was the state of Europe such that all the danger which had before existed was to be supposed removed by the magic of the signature of the treaty of peace? It had been argued that the bill might be used to favour the objects of the French government. Suppose two or three members of the Buonaparté family, and a number of their adherents were to come to this country and settle at Dover, holding constant communication with France, would not that give just cause of uneasiness to the French government, and could our government see that uneasiness with indifference? Let their lordships consider what, but for the miraculous result of the battle of Waterloo, might have been the present situation of this country and of Europe. Let them cautiously avoid every thing that had a tendency to renew the possibility of a successful combination against the repose of the world. Much had been said of the evil of excluding from this country foreigners of fortune, skill, and industry. But was it to be believed that any foreigners of that description, would be deterred from coming to this country because the government was armed with powers to resist the machinations of those who wished to disturb the public tranquillity?

The Duke of *Sussex* began with remarking, that that day was the anniversary of the battle of Waterloo. Since that ever-memorable day, which had immoveably established our military glory, a year had now elapsed: but it seemed, from the arguments of ministers, as if the safety of the country was still in danger, and that great battle had been fought in vain. It had been argued, that because we had had a measure of greater severity for 20 years, we ought still to have a modified one for two years longer; but the two cases were diametrically opposite. He conjured their lordships to reflect, that if they permitted any of the rights of the people to be attacked by a side-wind, there was no knowing where the example might stop. The measure now under their consideration he pronounced an attack on the 30th chapter of Magna Charta, and on the law of habeas corpus, by which every man residing in this country was protected in his person and property. He deprecated the principle that the private opinions of individuals should become the subject of investigation by the government, or that whole classes of people should be placed without the protection of the law, on account of opinions which they were supposed to entertain. If opinions were ridiculous they ought to be scouted: if specious to be argued against! if seditious to be prosecuted. If the alien were to enter into plots hostile to the peace of this or other countries, his conviction and punishment might be safely trusted to the laws of the land. If the power was placed in the hands of ministers of doing with aliens as they pleased, foreign states must be aware of it; and a refusal on the part of ministers to acquiesce in the demands of these states might unnecessarily compromise the peace of the country. What occasion was there to heighten the possibility of new causes of misunderstanding, when they were quite numerous enough already? The royal duke then quoted a passage from sir William Temple's Memoirs. That able statesman, speaking of the causes which contributed to the prosperity of the united provinces, remarked that the civil wars in France, Germany, and England, had greatly increased the native swarms of inhabitants by multitudes of men who came to seek that peace and freedom in Holland which they could not find in their own country. It was this hospitality to strangers, sir Wm. Temple added, which made these provinces the common asylum of all the miserable men of every country; nor could the states-general be prevailed upon by any considerations of foreign connexion or any instances of foreign ambassadors, to deny them an asylum. In another

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part of his memoirs, sir William states, that when he was commissioned by his government to endeavour to procure the apprehension of Joyce, the officer who took Charles 1st into custody, he had a long interview with De Witt on the subject, who plainly told him that it was contrary to their policy to surrender up refugees; and that, were an order to be issued to that effect by the government, the alien would probably be rescued by the citizens of the town where he resided. The royal duke concluded with protesting against bartering away the rights and liberties of our own countrymen for the convenience of a neighbouring government.

The Marquis of *Buckingham* thought it must have afforded great satisfaction to hear the just and liberal sentiments delivered by the illustrious personage who had just spoken, and to observe to what excellent purpose he had studied the history of his country. There was no one argument which he had heard in support of the measure which did not go to hold out the prospect of its becoming the permanent law of the land, at least so long as any combination of individuals might be supposed to exist who were conjectured to be intriguing against the French government. The noble marquis next adverted to the doctrine advanced by the lord chief justice on a former night, that the prerogative of the Crown enabled the sovereign to send foreigners out of the country. If a prerogative of the Crown, however, existed, one should have supposed that it would be clear and defined: but how came it that no one instance had been adduced to establish the existence of such a prerogative, even in the most arbitrary times of our history? The king, he would maintain, had no right, in this country, to interfere with the personal liberty of any individual resident therein, excepting on the breaking out of war; and in that case he had a right to act towards aliens here in the same manner as the power we were at war with acted towards British subjects resident in his country. The lord chief justice, he must assert, had been very unfortunate in the case he had selected for proving that a power existed in the Crown to send aliens out of the country. This case was that of the citizens of London petitioning Edward 1st for the expulsion of foreign merchants. He had turned to this very petition, and he found it in the rolls of parliament of the 18th year of that prince. It was there stated to be a petition, that foreign merchants might be expelled the country: the reason assigned was, that they tended to the impoverishment of the citizens. But the answer of the king was a wise one; he said that the foreign merchants were useful, and that he had not the advice of his great council to expel them. The instance then was nothing to the purpose, for it was not a petition to the king as sovereign, but addressed to him as sitting in parliament, and acting by its advice and authority. The learned lord had also supported his doctrine by an opinion of Vattel, expressing what he conceived to be the powers of the lord of the soil: but it was to be hoped, that when the judges of England decided on the liberties of their fellow-citizens, they would not quote and rest upon the *dictum* of a French lawyer. Edward 1st, however, was an imperious sovereign, who by one act of his sole authority, sent 15,000 Jews out of the kingdom at once, and at another time threw the foreign merchants into prison, until they had complied with his arbitrary exactions. But adverting to later periods of our history, the noble marquis remarked, that when queen Elizabeth was threatened by all the dangers of the Armada, even she, though an arbitrary princess, did not resort to any extraordinary measure of police with regard to foreigners. But there was another instance still more in point. In the reign of James 2nd, 50,000 Protestants, expelled from France by the revocation of the edict of Nantes, sought refuge in this country. These Protestants were of course all objects of jealousy to the French government, with which James had formed the most degraded and subservient connexion: they must also, considering his bigotry, have been the objects of his own personal jealousy; and yet we do not find him attempting to exercise his prerogative, by either preventing their entrance into this country, or exercising any restraints towards them. The noble marquis proceeded to state, that he should have supported the alien bill of 1793, as being called for by the exigencies of the times; but he opposed the present, precisely because it was not called for by any such exigencies. It went, in fact, to expose the Spanish refugees to the vengeance of Ferdinand, the French refugees to the vengeance of their own government, and generally those who were objects of jealousy to any continental sovereign to the vengeance of that sovereign. Thinking the measure altogether obnoxious and unjust, he should move as an amendment, that the bill be read a third time this day six months.

Lord *Redesdale* supported the bill on the ground that it went to assist the prerogative of the Crown. That a prerogative existed in the Crown to order aliens out of the country was demonstrable from our history. Generally speaking, however, if we looked back to old times, we should find it was the people themselves who wished the expulsion of aliens, while the king on the other hand, was in the habit of supporting them, no doubt on account of the benefit which their trade brought to his customs. But instances were to be found in our history of exertions of prerogative extremely like the powers which the present bill conferred. Of this kind was a proclamation issued in the reign of Henry 5th, by which the keepers of the passage, as they were then called, were ordered to stop all aliens on their approach to our shores, to inquire into their business, and to transmit their answers to the Crown, before they could obtain permission to land. The present question appeared to him altogether one of policy. There was nothing unconstitutional in the bill now before the House. It did not affect the king's subjects: it affected those persons only who bore allegiance to foreign powers. Whether it was expedient to pass a bill of this sort, was quite another question; the point to be decided was, whether it was necessary that some check should be placed on the influx of foreigners into this country. On this point every noble lord must of course decide according to his own feelings and views. It was his firm conviction, that this was a moment of as much danger to the repose of Europe as any that had existed for the last 15 years. This was his individual opinion, and he felt he should not do his duty unless he gave this bill his strenuous support.

The Marquis of *Lansdown* remarked on the singular declaration of the noble and learned lord, which went in effect to state that after all the successes of the war, the result was, that the country was still in as much danger as it had been during any of the last 15 years. It became their lordships to reflect whether they should legislate against anticipated dangers—dangers that were not urgent like those in 1793; and whether it might not be the convenience of ministers which created the asserted apprehension. He would refer their lordships to the practice of their ancestors, who, even in the most dangerous periods of our history, had withheld from the Crown those powers which were now called for. He would refer to the long wars and agitations of public opinion which took place after the Reformation, when the genius of popery did create in the bosom of every Protestant country a party most dangerous, inveterate, and powerful. In the history of queen Elizabeth would be found the most distinct evidence of plots carried on against her at Rome and at Rheims—of plots carried on by Papists; but did secretary Burleigh ever come down to parliament, and apply for new powers to counteract these plots? No: queen Elizabeth's government relying on the affection of the people, brought the detected foreigners to public trial for their offences. After the revolution, the attempts of the exiled Stuarts, supported by foreign powers, and assisted by the wishes of great numbers at home, at times threatened the most alarming dangers; but amidst all these dangers what evidence was there of a wish on the part of the government of that day to suspend the constitution? It relied on the powers of which it was possessed to put down the danger. Were we an altered people, he would ask, from the various infusions of foreigners that had taken place amongst us? He knew it had been asserted, that we were a people whose population was perfectly adequate to all our wants—that we had no need of foreigners to come amongst us; but where was the country in Europe which had drawn its inhabitants from a greater variety of sources? From Dutch, from Flemings, from French, and from Germans. What would have been the advantage in former times, when these industrious people came among us, of government being empowered to inquire whether there were any Anabaptists among the Dutch, any Hugonots among the French, or any adherents of the duke of Alva among the Flemish? It was not by such paltry measures as the present that our constitution had been preserved, or our country had become great, but by the beautiful alchemy of the British constitution, which extracted even from the very dross of other countries the sterling gold of the British character. It had been said in praise of Rome, that "hæc est in gremio victos quæ sola recepit": but it was the greater glory of this country that she had drawn into her bosom, not the victims of her aggression and injustice, but the victims of the injustice of other powers. It was this principle which had mainly contributed to her defence both against foreign and domestic tyrants. Whether the practice, or the result of the practice, of our ancestors were referred to, it was evident that the only wise mode of proceeding with regard to foreigners was to leave them under the administration of existing laws, and to the mild but certain influence of manners.

Lord *Sidmouth* could not refrain from the expression of his surprise at the tone assumed by the antagonists of the present measure—a tone very similar to that employed in 1802 upon the much more severe law passed in that year. During a course of 23 years the alien bill had been re-enacted ten times without the slightest opposition, and only three times had any objections been pressed against it. How could those who now so strenuously resisted this modified bill account for their silence in 1802? How could they explain their silence in 1814, when the law was again resorted to, when it was supposed that the very seeds of jacobinism had been destroyed, and when lasting tranquillity was with confidence expected? What had occurred within the last year and a half to produce so strange a contrast in the conduct of the other side? The noble marquis had mentioned that, both in theory and practice, the alien bill was a flagrant violation of the principles of the constitution; but he forgot for the moment the power of the Crown by its prerogative to send aliens out of its dominions, which was not now for the first time claimed, but had been asserted and maintained even in 1793. A noble earl (Grey) in a former debate had admitted that such a power resided somewhere, and, as he contended, in the legislature; but his argument had been answered with the most triumphant success, and since it had been proved beyond a doubt that it did not and could not reside in the legislature, and of consequence must belong to the executive government. He (lord Sidmouth) did not wish to rest the vindication of the bill from this weighty charge merely upon arguments derived from general principles, nor upon the often-quoted terms of Magna Charta; for, as he had been challenged upon the point, he had prepared himself with a few instances, to show the exercise of this prerogative, which completely outweighed the two cases quoted on the other side from the reign of Henry 5th. Great stress had been laid upon the reign of queen Elizabeth, at which time, it was said, such a prerogative would assuredly have been exercised, had it existed. On a cursory examination of the documents in the state-paper-office, he had discovered several proofs that the queen had actually exercised that prerogative. Under the date of the 5th of October 1571, he had found a letter from the lord mayor of London to the lords of council, returning a project on the subject of foreigners, which was drawn out in the hand-writing of no less a man than lord Burleigh, which provided that a general search should be made in the ports and counties more immediately fronting the coast of France, at the same instant, for all such strangers as had arrived since midsummer: that the landing of all strangers, merchants excepted, should be prevented; and that such as arrived should be sent back in the ships which brought them; that strict charge should be given to all householders not to receive or harbour such strangers, or to set them at work at any trade, mystery, or occupation that a general search should be made in the city of London for Scotchmen, not being denizens, that they might be immediately sent back to their own country; that the houses of all strangers should be secretly searched in order to ascertain what arms and ammunition they possessed, and to take them away. His lordship had also investigated the reports of the privy council of that date, and on the 28th Oct. 1571, he found that a statement was read touching the daily increase of strangers in the country, and on Dec. 10, 1574, a letter was taken into consideration relative to the case of a Frenchman, who had been charged with some designs against the state; and although no positive proof was given, yet being suspected to be of lewd behaviour, it was thought fit to send him out of the realm. Another instance occurred on the 20th November 1575, on which day the report of the council stated, that a letter was read from a person at Plymouth respecting a Frenchman committed to prison there for words spoken at Rochelle; and it was ordered, that if that were the fact, he should be banished the realm without delay: but that if the language were used in England, he should be dealt with according to the quality of his offence. Such were the instances his lordship had to adduce from a period to which especial allusion had been made: and, independant of others that might be quoted without difficulty from earlier periods of our history, he should be contented with those derived from the more recent time of queen Elizabeth. Thus it was proved most satisfactorily, not only that the sovereign possessed, but that he had exercised the prerogative, and that if necessary he ought not to be restrained from its exercise in future. As to the expediency of the measure before the House, he appealed to the good sense and calm reflection of their lordships, whether the circumstances of the country did not require it. He declared on his conscience that he had yet heard nothing to shake his firm conviction upon the subject.

Earl *Grey* said, that with regard to the prerogative, he was still prepared to insist that the authority to send aliens out of the country did not reside in the Crown. The noble lord on the cross-bench had produced precedents from the reign of Henry 4th, but as no opportunity had been afforded for inquiry into the circumstances, which the noble lord had not thought fit to mention, it was impossible to ascertain how far they really applied to the bill. In contradiction to the position, however, there were on the statute-book two acts relative to foreigners, which at least were negative evidence against the right of the king. Next were ranged the cases in the reign of queen Elizabeth, to which the same remark would apply, that none of the circumstances were supplied to enable the House to form a correct judgment, and it was obvious that none of them appeared to be the mere act of a capricious minister, but of the queen assisted by her council. This was at least one important difference; and it should not be forgotten that these instances were quoted from a time when the court of star-chamber was in existence, and acts of despotic power in such times were not to be regarded as warrants for future infringements. He was less inclined to give the noble viscount credit for his precedent, without a careful inquiry into facts, after the proud display made by a learned lord (Ellenborough) on a former night, of a case which, on investigation, turned out to be exactly the reverse of the purpose for which it was triumphantly cited. But these references to the recent times of Elizabeth (as the noble viscount had termed them) were infinitely overbalanced by the negative evidence in the reign of the arbitrary James 2d, who had never dreamt of employing such a power, though most important to his interests, had he possessed it; nor had William 3d, made use of it to oppose the pretensions of legitimacy which sought to overthrow all that was valuable in our constitution. From the reign of Richard 2d to the Revolution, the statute books were filled with acts to regulate aliens: and how could they have been required, if the king had really possessed the prerogative now claimed? At present there was no occasion for the renewal of the act of 1792. Would it be said it was necessary to protect the nation against the designs of the followers of Buonaparté? This could hardly be maintained, for could it be expected that these would become the apostles of freedom? The present bill went to deny foreigners that asylum from persecution which they had hitherto enjoyed, and to force them to seek in America that refuge from tyranny, which heretofore it had been the boast of England to offer to the unhappy. The French Protestants, the persecuted Spaniards, the Germans disappointed in the expectation of the free institutions they had been promised on the downfal of Buonaparté, ought naturally to look to this country for safety. From all quarters exiles for liberty would naturally turn their eyes towards this island as a second home—but, no! this bill forbad their entrance; it proclaimed aloud that the policy of England was changed; England no longer afforded protection to the martyr of freedom or of faith; the country of liberty was now in a general league with governments against the people, to repress the spirit of liberty all over the world. As to the Bourbons, he sincerely hoped that the maintenance of that family on the throne might be consistent with the peace of Europe, but he certainly did not think their political existence should be a *sine qua non.* A government combined with rational liberty was the great desideratum in France. The noble earl then stated an abuse of the alien act which had come to his knowledge, and argued strongly on the inadequacy of the appeal to the privy council, while the alien had not even the means of demanding the grounds of accusation against him, or even the name of his accuser. He insisted also on the unequal operation of the act, for while all aliens resident here would be subject to it, aliens in the colonies, or who had served two years in the fleet or army, or three years in the whale fishery, were entitled to be naturalized. The same was the case with respect to Ireland, where notwithstanding this bill, a foreigner might be naturalized as son as he arrived, on taking the usual oaths.

Lord *Ellenborough* rose with great warmth to repel what he called a base and calumnious imputation against him by a noble earl, of having falsified a document, namely, the petition of the city of London in the reign of Edward 1st, which he had quoted on a former night. He now read the document to show that his former account of it had been correct. He thought it due to his own character to make this explanation, and he trusted that he had done it without any asperity of language. [A loud laugh.] That laugh awakened a sentiment in his mind, which he would not express: all he should say was, that a man who was capable of patiently enduring the imputation of having falsified a document, was capable of doing it.

Earl *Grey* said, that whether or no the learned lord had indulged in any unwarrantable asperity of language, he should leave to their lordships to determine. For himself he could only say, that whether he had or not was a matter of perfect indifference to him; if, indeed, he were to add that his feelings upon the point bordered upon another sentiment, he should not belie those feelings. No apology was due from him to the learned lord; though he did not, however, recollect that he said the learned lord endeavoured to impose a premeditated misrepresentation upon their lordships. What he stated was, that the document brought forward by the learned lord led to a very different inference from that which he had drawn.

The Earl of *Liverpool* said, that notwithstanding all that had been advanced upon the subject of the king's prerogative, his own opinion remained more and more fixed upon the existence of that prerogative. He maintained that all the authorities were in favour of that argument, and especially the strong and unanswerable cases cited by his noble friend. The noble earl proceeded to argue the question on the ground of expediency, and contended, that it would be attended with the utmost danger to leave this country open to all foreigners whatever, without giving government the smallest control over them.

The *Lord Chancellor* thought it his duty to state his decided opinion, that the Crown had at common law the prerogative of sending aliens out of the country, and that this bill was only necessary, in order to give proper facilities for the exertion of that prerogative.

Lord *Holland* should give his vote against the bill, on the ground that it was unnecessary, inexpedient, and contrary to the policy of the country. He trusted and hoped that even the short period of two years would not expire without the subject being again brought before parliament. So long as this act should remain on the statute book, so long should he watch for every opportunity of proposing a repeal of a law which he deemed a violation of the constitution.

Their lordships then divided:

Contents......60; Proxies 48—108
Non-contents 25; Proxies 23— 48
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Majority 60

The bill was then read a third time.

HOUSE OF COMMONS.

Tuesday, June 18.

Report on Tithes.] Sir John Nicholl reported from the select committee appointed to take into consideration the several petitions which have been presented to the House in this session from certain places in Great Britain and Ireland, upon the subject of Tithes, that they had considered the matters to them referred; and have come to the following Resolutions: 1, " That it is expedient to enable ecclesiastical proprietors of tithes to grant leases thereof, so as to bind their successors under due regulations. 2, That the term of such leases should not exceed 14 years. 3, That such leases should only be granted with the previous consent of the patron and the bishop of the diocese. 4, That the consent of the bishop should not be given until he has been furnished with a certificate upon oath, by a competent surveyor, to be named by such bishop, and to be paid by the contracting parties, that the tithe rent or composition proposed, is a fair and just equivalent for the tithes so to be leased during the term to be granted. 5, That such leases should only be granted to the proprietors of the land. 6, That in any new law to be enacted for this purpose, it would be expedient to define who should be considered the proprietors of the land for the purpose of taking such leases. 7, That the leases to such proprietors of lands should be appurtenant to and run with the land in the nature of a real covenant, and that the occupier under the leases now existing shall have the option and the right, on a notice within a year after the date of the lease of the tithes, of retaining the tithes during the continuance of his lease in the land, on payment to the lessee the tithe rent, or a just proportion thereof. 8, That in case of avoidance of the living, by death or otherwise, a proportion of the rent should be paid to the incumbent, or his representative, up to the time of such avoidance. 9, That the said tithe rent or composition should be recoverable by distress, as if the same were a rent charge upon the lands; and that the lessee of the tithes shall have a remedy by distress for the tithe rent, against the occupier agreeing to retain the tithe. 10, That the tithe proprietor should have the option of avoiding the lease, in case the tithe rent be in arrear for three calendar months, after notice in writing demanding the same from the lessee, and the rent not paid, nor sufficient distress found upon the premises. 11, That the tithe proprietor should not be restricted from recovering the tithe rent or composition by due course of law, in the same manner as he may now recover the value of or composition for tithes, where subtracted. 12, That a general form of a lease or grant should be framed; and that no stamp duty should be payable on such lease or grant, unless the tithe rent or composition exceed pounds a year. 13, That the lay owners of impropriate tithes, being tenants for life and for years determinable on a life or lives, or tenants in tail, or tenants in fee, subject to be determined by executory devise or shifting use, have the like power of leasing such tithes for any term not exceeding 14 years. 14, That a like power be given to all corporate bodies, whether lay or spiritual, being owners of impropriate tithes. 15, That no lease shall be valid to bind the successor, reversioner, or remainder man, where any other consideration is given than the annual tithe rent or composition declared in such lease. 16, That the power of leasing tithes, as it at present by law exists, should not be taken away or diminished."

Parliamentary Reform.] Mr. *Brand* said, he held in his hands two Petitions from Aberdeen, praying for a reform in parliament. Every day's experience confirmed him in the opinion which he had constantly entertained, of the necessity of parliamentary reform. He regretted extremely the apathy which pervaded this part of the country with respect to this subject. He thought this might be in some measure accounted for by the persevering tenacity with which the gentlemen more immediately connected with this measure insisted on a violent and exclusive mode of reform. He had already stated it as his opinion, that if septennial parliaments were too long, annual parliaments on the other hand were too short. But those who thought annual parliaments the only remedy for our grievances, conceived that those who were not disposed to adopt their remedy, were not so sincerely patriotic as themselves. He could not but express his satisfaction that this subject had been taken up with eagerness by the northern part of the island.

The Marquis of *Tavistock* said, that the people had a right to expect that they should be admitted to a participation in the constitution, and would not be satisfied till, by a proper reform, they were admitted to such participation.

Mr. *Bennet* entertained the same opinions which he had always held on this subject. He trusted that as the world was now in a state of tranquillity, we should at last turn our attention to the state of the representation.

Mr. *Curwen* during the whole period he had had a seat in the House had always strongly supported parliamentary reform: and no time could be more suitable for this object than the present, when the people were called on to submit to such unexampled privations.

Mr. *Brougham* expressed his hearty concurrence with those gentlemen who had preceded him. However this cause might be opposed by some, deserted by others, and espoused by persons whose conduct excited no small degree of disgust out of doors, he, for one, should not be induced to abandon it, or to entertain less zealous wishes for its success than his hon. friends beside him.

Mr. *W. Smith* said, that as from his earliest political life he had uniformly expressed himself in favour of parliamentary reform, and as he had been more and more confirmed in his opinion by all that he had seen during the last 35 years, he concurred most heartily in the sentiments which had fallen from his hon. friends.

Mr. *Brougham* said, he held in his hand a petition to the same import, signed by upwards of 10,000 inhabitants of Glasgow, which was no more represented in that House than if that city consisted only of bare walls with thistles growing in the streets. While many places with few or no inhabitants had two, and some even four representatives in the House, that great city had only one-fourth part of a representative in the hon. member below (Mr. Finlay), who, no doubt, very ably represented it and three other boroughs. The petitioners complained of their being spoken of as represented in parliament, and they considered theirs as the strongest case in favour of reform. In Scotland, even in the largest counties, there was nothing in the least resembling a popular representation. The whole country might be represented by persons who had not one foot of land in the country—it might be represented by 45 persons in Change-alley. That was a state of representation so monstrous as to call loudly for reform. Whatever sentiments might be entertained respecting reform in the case of England, he had never heard out of the House one single dissentient voice as to the necessity of a reform in Scotland.

The petitions were ordered to lie on the table.

ALGERINE PIRATES.] Mr. *Brougham* rose, pursuant to notice, to move for a copy of the Treaty concluded by lord Exmouth in the name of the Neapolitan and Sardinian governments with the dey of Algiers. He reproved the terms on which it was understood the treaty had been made, and thought that if the country had sanctioned them with its authority, a great stain would be fixed on her character, and consequences injurious to her reputation and honour, could not fail to arise from such an arrangement. That treaty, he understood, acknowledged the right of depredation exercised by the barbarians, by providing a ransom for the slaves whom they had made. He understood that the Algerines, dissatisfied with their dey for having limited their sphere of plunder, had been only pacified by an assurance from their government, that though they might not cruise against Neapolitan subjects, there still was a wide field open to their enterprise. The Roman states had felt the effect of this new direction given to their piracies. He then described the wretched state of the prisoners taken by the Algerines. In one case, out of 300 prisoners, 50 had died out of ill treatment, the first day of their arrival, and 70 during the first fortnight. The rest were kept in the most miserable situation, being allowed only one pound of bread a day, and subject to the lash from morning till night. No age and no sex was spared. A Neapolitan lady of distinction, carried off with eight children, six of whom still survived, had lately been seen by a British officer, in the 13th year of her captivity On these grounds, and that it should be seen we did not countenance such proceedings, it was necessary to ascertain what use we had made of our influence in the late negociations. He concluded by moving, "That there be laid before the House, copies of any treaty concluded with the dey of Algiers, under the sanction and mediation of the British admiral in the Mediterranean, and of all correspondence on the subject."

Lord *Castlereagh* said, that government were only in possession of part of the documents moved for, as the negociations were not yet terminated. When the whole should be completed, there would be no difficulty in producing the papers: and it would be seen, that every principle of justice and policy had been carefully attended to. He should object to the motion at present, merely on the ground that he did not wish to give partial information on such a subject. He should, however, state, that the cause of humanity had been materially advanced by the negociations which had been carried on, as it was for the first time agreed to by the dey of Algiers, that captives should be considered and treated on the European footing as prisoners of war, and set at liberty at the conclusion of every peace.

Sir *T. Acland* said, it was the bounden duty of this country to use all her exertions, consistently with due prudence, towards ridding the world of this horrible and infamous slave trade.

Mr. *W. Smith* reproved our suffering a nest of pirates to exist in the centre of the world. The treaties which we had hitherto made with those barbarians, consisted of little more than sending them presents, to induce them to suspend their depredations. He thought that the great opportunity of freeing the world from those pirates had been lost last year in the congress. He hoped that every means would be adopted to put them down, and that no treaty would be entered into to recognise, even by implication, the pretended right of the Algerines to plunder.

Lord *Cochrane* contended, that two sail of the line would have been sufficient to compel the dey of Algiers to accede to any terms. The city of Algiers was on the sea-shore, the water was deep enough for first rates to come up to the very walls, and those were mounted only with a few pieces of cannon, with the use of which the barbarians were scarcely acquainted. He then described, from his own observation, the horrid state of men of education and fortune, as well as other classes, dragged from their own country, and compelled, by the lash, to perform, in all the intensity of the sun, labours for which men were almost incompetent. That state of slavery, he maintained, might be put down at once. An order to the commander of our fleet to reduce these powers to certain terms would be more effectual than presents or negociations.

Mr. *J. W. Ward* thought no convenient opportunity should be neglected to put an end to this system of piracy, the existence of which was very injurious to our character.

Mr. *Brougham* said, he did not regret the bringing forward a motion, which had produced an expression of indignation so unanimous at the continuance of this system of piracy. He could not, however, but condemn the treaties which had been concluded, which sanctioned the atrocities of these powers. He agreed that two sail of the line would be better instruments of negociation with these powers than ambassadors. Our maritime force was the real remedy for this crying evil, and a war to reduce these powers to the rules of European states would not be objected to by those who were most hostile to wars. As treaties had been made, he trusted these powers would be kept to their engagements, and if a single Neapolitan or Sardinian vessel was hereafter captured, that our ships would be sent to demand justice, to inflict punishment, and even to carry vengeance among these barbarians. He hoped the Roman coast would not be left open to all the fury of the Algerines, but that our naval force would exert itself to defend that territory, and the other coasts open to the pirates. He trusted, that by our efforts this Christian slave trade would soon be entirely destroyed. As a reason had been given for withholding the information at present, he should withdraw his motion. —The motion was withdrawn.

HOUSE OF LORDS.

Wednesday, June 19.

Freehold Estates Bill.] Earl *Grey* moved the second reading of the bill, for rendering the real estates of persons dying indebted liable, in default of personal assets, for their simple contract debts. He urged the expediency of this measure on the general grounds of justice towards creditors, and more especially with regard to trustees of the personal property of infants applying that property for the purchase of estates for their own use, and against the inheritors of which estates the deceased trustees having made no provision by will, the infants, although perhaps by this fraud reduced to indigence and distress, had no remedy. With regard to the objections made on former occasions, that such a measure would throw all the landed property of the country into the court of chancery—that estates could not be sold by those succeeding to them without a decree in equity—and that it would tend to alter the whole system of landed property which the law had fenced round with so many securities, no inconvenience had been felt, nor had any obstacle to the sale of estates arisen from their being affected by specialty debts; and as by this bill simple contract debts were to be merely put upon the footing of specialty debts, there was no reason to believe that any inconvenience whatever would arise from such a provision. There was no foundation for the objection that the system of landed property would be materially altered by this measure. Another objection made to the measure was, that it did not go far enough—that it ought to extend to copyholds as well as to freeholds. This might be a proper subject of future consideration, but it formed no just ground for rejecting the bill as it stood.

Lord *Redesdale* contended, that none of the former objections which existed to this measure had been removed, and that if it were adopted, it would eventually alter the possession of landed property in a way that would be most injurious to the constitution. He moved as an amendment that the bill be read a second time that day three months.

The amendment was agreed to.

PROTEST AGAINST THE REJECTION OF THE FREEHOLD ESTATES BILL.] "Because it is highly inexpedient and unjust, that persons who have contracted debts, and have the means of paying them, should be allowed at their deaths to transmit to their heirs, or to their devisees, the secure enjoyment of their property, while by the non-performance of their engagements, their unsatisfied creditors may be reduced to bankruptcy and ruin—and this injustice is the more flagrant in the case of a trustee, who having employed the money entrusted to him, in the purchase of real estates, may transmit to his representatives the fruits of his violated trust, whilst the orphans, or others, whom his conduct may have reduced to indigence, are left without remedy or resource. (Signed) "GREY."

HOUSE OF COMMONS.

Wednesday, June 19.

WEST INDIA SLAVES.] The order of the day having been read,

Mr. *Wilberforce* rose and said, that he had some time ago expressed his intention of bringing forward a motion with reference to the state of the West Indies, and the question of Negro Slavery; but that he had yielded to the recommendation of the noble lord opposite, who wished it to be deferred, originally in consequence of arrangements on the subject depending between this and other countries, and recently in consequence of the official accounts of the late events in the West Indies not having arrived. He would have been content that the whole subject should have still stood over, that hereafter the contest might have been upon equal terms; but the question now appeared to him not to stand on the grounds on which it was put by his noble friend. It appeared to him to be of great importance that there should be every possible degree of information; yet he felt it his duty to take an opportunity of stating some of the grounds and principles which, the House having adopted, it seemed necessary to carry into effect. The object he had in view, therefore, was to remind the House of principles and facts which had formerly been stated and urged in argument by far greater authorities than himself: he was under the necessity of reviving things almost forgotten, and the object he had in view was one he should not have brought forward, except under the impulse of duty, and an anxious regard for the durable, solid, and perpetual interests of all the subjects of the empire, more especially those that inhabited the West India islands. He was to contend for the sacred principles on which those interests were most firmly grounded, and he was sure that when they were known they would obtain the sanction of the people of England. In proceeding to state the obligations we were under to take effectual measures for the abolition of the slave-trade, he should show what was the condition of a great part of the slaves in the West Indies; and whatever some persons might think, whatever they might allege, as to the treatment of these unhappy beings, they were undoubtedly a part of the great body of British subjects, and, as such, entitled to all the blessings that we enjoyed. Whatever we could do for their benefit, we ought to do; and, above all, to rectify the mistakes into which even well-meaning people had fallen—to show that these negroes were worthy of our regard—that to them we were indebted for all the advantages we derived from our West Indian possessions—and that we were therefore bound attentively to consider their situation. These persons, instead of not exciting even the ordinary attention of ordinary subjects, had a peculiar claim to our regard. We had brought them for two or three hundred years from their native home—we had planted them in the western hemisphere for the purposes of our aggrandizement and wealth—we owed them in an especial degree our protection—and there could be no difference of opinion as to the obligation imposed on us to afford it.

He wished he could tread this ground without giving pain to any individual; but it was impossible, after the many discussions that had taken place, not to know that different opinions were entertained on some branches of this subject. One consideration, however, had given him great concern; namely, that whenever he or his friends had stated the evils of the existing system, gentlemen whom he should have been forward to deem actuated by the best principles of benevolence, seemed to think that the observations thrown out were directed against themselves, and not against the system. "Do let us," said the hon. gentlemen, "consider the true state of the case. Slavery and human nature are two words, which when found together, are sufficient in themselves to show the evils that must arise out of their conjunction. It is in no case safe that man should be intrusted with arbitrary power; but, in the present instance above all others, every circumstance conspires to provoke an abuse of arbitrary power. In the associations of the planter, every thing tends to render the negro an object of degradation—his colour, unlike that of his master—his language, an imperfect mimickry of our own—and the very habits of self-abasement which slavery itself produces." The very circumstance of their distance from the seat of empire considerably increased the probability of their being oppressed. They were generally the property of absentee proprietors, and mannged by overseers who, even if the masters were humane and enlightened, were not likely to be actuated by the same liberal sentiments; nor was it probable that they would acquire them in such a place; for by an immutable moral law, the effects of slavery extended not only to the sufferer, but operated a corresponding degradation in the mind of the inflictor of the suffering. The consequence of the state in which these poor people were, notwithstanding the opinions of some who had not gone into all the particulars, was indeed deplorable in the extreme; and as it was by the fault of the people of England that they first were brought into that condition, we ought at least to afford them all the relief which the nature of things admitted.

He was anxious not to detain the House, and it was only because such an interval had elapsed since the subject had last been discussed, that he had now entered into it so much at length. But it was evident that the situation of the negroes was not what it ought to be, from the circumstance of their not increasing in number. The negroes were a prolific race every where except in the West Indies. Though we had various admissions from persons who desired to state fairly what they had seen and believed, yet the latest accounts from Jamaica, where the slaves were in general the best treated (for they were not treated in all places alike), admitted that great numbers were actually lost every year from the circumstance of their being underfed and overworked. These were causes which sufficiently accounted for the decrease of the species; and if persons considered the subject, they would find that it could not be otherwise, for it was the object of the overseers, to get to the maximum of exertion, and the minimum of expense. This the manager did, not to recommend himself to his particular employer, but to the planters generally; for if, as was truly said by Mr. Long, a manager once gained a character of raising crops at a great expense, he found it difficult or impossible to gain a second employment. The great evil, however, which in its consequences far exceeded all the others, was, that the negroes were, in fact, in a degraded situation—that they were not considered as entitled to the same protection of the laws as other individuals—that they were not considered as our fellow-creatures. Whatever disposition might sometimes exist to treat them kindly, yet their personal interests were neglected altogether: they were utterly destitute of any sort of instruction, moral or religious. He knew, indeed, that one hon. member had sent out a person for the express purpose of instructing his slaves; but in general they received no instruction whatever. When, therefore, we knew that the marriage institution had not only not been encouraged, but had not been introduced any more than among the brute beasts, it was a sufficient proof that the negroes did not occupy the station of their fellow-mortals. If we looked to the laws of the island, we should find sufficient reason to lament, not only the old laws of former and less enlightened times, but those also of a far more modern date. He said this the rather, because many persons thought they answered all objections, if they could show that the slaves were sometimes well fed and taken care of—just as if they were speaking of the good condition of so many horses; but this in itself tended only to show that they were considered in a degraded station, and not as fellow-mortals. In fact, one party had contended openly that they were not fellow-creatures, but of an inferior stamp; and if there could be any extenuation, these appeared less inconsistent at least than others. Another point he wished to touch on was the manner in which these poor creatures were worked: they were considered so incapable of foresight, that it was thought necessary, as with inferior animals, to use the stimulus of the whip, and make them feel, as a signal that their exertions were required. Excepting in one or two instances, such as he had already mentioned, the practice existed generally. Notwithstanding the whip might be sparingly used, as a merciful carter would sometimes spare his horses, yet as long as this system lasted, it was impossible the slaves could ever emerge from the degradation in which they were now depressed. He might expatiate much more on this subject, but he wished for the present to abstain; and should only say, that the longer experience he had had with the unhappy objects of his concern, the better he was inclined to think of the character of the West Indian slaves, considering all the disadvantages under which they laboured. He had heard various instances which showed, however degraded by slavery, the natural disposition of these oppressed men was such, that the soil would as well repay cultivation as any other. He could mention instances of gratitude, affection, and duty, which he was sure the House would say would do credit to any age or country whatever.

He was sure that many in the House would call to mind, that when he and his hon. and learned friend near him (Mr. Brougham) were contending for the abolition of the African slave trade, it was said: "Do you mean to leave the slaves in the West Indies in the same situation they are?" Some gentleman had stated, that he and his friends had proposed so to do. We told them, "No; that we were confident the abolition of the trade, if it could be secured, would be the best remedy for all the diseases of the system; and the great mind of that eminent man (Mr. Burke) who never touched any subject without adorning it, manifested the extent of his powers, and the humanity of his heart, by framing a detailed plan for the reform of the various abuses that were to be found in the treatment of the West India slaves. It was a plan he should be exceedingly glad to see executed, but if the opponents of himself and his friends objected to the registry bill, he was sure they would object ten times more to the plan of Mr. Burke. It proposed to divide the districts into parishes, each to have a school, a protector, a person to be appointed, *ex officio*, to make regular inquiries throughout the islands, in order to ascertain the actual situation of all the slaves; to have certain individuals who showed more than ordinary intelligence, sent to be educated in this country, and then sent back again, for the purpose of improving their countrymen; and, by improving their minds, lessening the horrors of slavery. Such was the general nature of Mr. Burke's plan. He only mentioned the circumstance, to show how much Mr. Burke thought of ameliorating the condition of the slaves in the West Indies at that time. This was as long ago as the year 1792. Oh! what time had we lost! The late lord Melville also, at that time, regretted that he (Mr. W.) and his friends had not concerned themselves for the West India slaves, as well as the Africans. He did not actually make a motion, for we carried the question against him. He stated what his intention was. It was, that after a certain number of years, all negroes that should be born, should be born free, and then educated by the owner of their parent, whom they should serve for a stipulated number of years, to pay the expense of their education; after which, they were to be their own masters —to be entirely free men.

That was the mode suggested by lord Melville in the year 1792; and were we now contending that the registry bill was too much? He was contending, that in fact the abolition of the slave trade would have been a measure preferable to any other for reforming the West Indies, by making it the interest of every man to take care of his slaves; not the humane planter, but the cold-blooded man who took care of his interest. It was a measure that would execute itself, through the medium of the master; not in the way of regulation, but it would be the main spring of the benevolence of every planter. The abolition would gradually change the system into a state of things most to be desired. Security would be substituted for danger, and happiness for misery. If the present measure was well considered, it would be found to be the most efficacious method for assuring to us the abolition of the trade. If the House was in earnest, it would see that there was an indispensable necessity for passing the registry bill; for it was the only mode by which the abolition could be effected. It would always be in operation; the slave would feel that he was indebted to his master for every additional comfort he received. Mr. W. said he should be glad that the remedy came by internal means; but he was bound to see that the thing was done effectually, and that it was not done by those who would not do it from their hearts.

He had shown, that at a time when other measures were proposed, measures of a bolder nature, that went directly to their object; namely, that of endeavouring to promote the improvement of the West Indies, the friends of the abolition had been satisfied with the general measure of abolition, to which they looked as the grand object of their solicitude. The only thing he regretted was, that it was not immediately followed by a registry bill, in order to render it effective. It would be recollected, that at the time the measure was carried, no one was more surprised than a noble friend of his in the other House. The friends of the abolition did not dare to do any thing that might risk their success; they did not think it prudent to lighten the vessel too much, for they had found, on former questions, that there were some of the regulations which did not involve the whole principle, though they were considerably operative; therefore they wished to leave out what was not absolutely necessary. He was much indebted to his hon. and learned friend behind him, who was one of the great combatants in this warfare, for rendering the measure more efficient by declaring that the system should no longer be considered as a trade, but as a crime deserving the punishment of crime. It was a little hard, when they preferred the mode of a registry, as being the most efficient; when they abstained from those measures which might seem to give them the management without going into the plantation—it was a little hard, there should be an outcry against them, for bringing forward the registry bill, as if they had brought forward the most violent measure, instead of the measure the most unobjectionable. It had been objected, that they had changed ground; that before they were aiming at abolition, and now they were aiming at emancipation; but the truth was, that the main object was the abolition of the slave trade, with a view to produce the amelioration of the slaves; that we might see the West Indies cultivated by a happy peasantry, instead of being cultivated by slaves. He could read what he had this morning extracted from the sentiments of Mr. Pitt and Mr. Fox, lord Grenville, lord Howick, and the marquis of Lansdown, every one holding the same language. The same cry had always before been raised as was raised now: from 1788 to the abolition of the trade in 1806, it had always been said, " You are going to make all the slaves free;" but he was willing to read the extracts, if any one doubted, to prove that they had always thought the slaves incapable of liberty at present, but hoped that by degrees a change might take place as the natural result of the abolition.

This naturally led him to bring another subject to the recollection of the House; but even here, the concern he felt was mixed with surprise at the late insurrection being attributed to their unhappy registry bill. If we compared one fact with another, we should find this to be impossible. Ever since 1789 the proprietors had been saying, " You mean to make the slaves free;" and not only had they said this, but they had printed and dispersed it all over the West Indies, and had even pointed out, in those writings, the possibility of the blacks rising with effect, making representations and statements that had never been made in the House. He would read, for the information of the House, a letter which had been written since the insurrection commenced, from a person of the highest respectability. It stated, that a gentleman in Barbadoes, only a week before the insurrection, declared that such was the violence and heat with which persons talked, even in the presence of their slaves, on the effects of the registry bill, that he expected an insurrection must take place. He should not mention the writer's name, for fear of exposing him to the fury of those individuals. [Hear, hear!]. Would the hon. gentleman secure him from ill treatment? He (the writer), deeming it probable that very different causes from these would be assigned as the ground of the insurrrections, expressed his conviction that they had arisen entirely in consequence of the violence with which the proprietors expressed themselves on the subject of the registry bill. The negroes thought that some great benefit intended them by the legislature had been opposed by their masters, and this naturally led to feelings of irritation. Another letter he had received stated the same thing: that the disturbance was not owing to the registry bill, but to the violent language of the planters; and that there would have been no insurrection if the business had been less spoken of; but that from the unguarded manner in which the planters expressed themselves even in the presence of the negroes, he had no doubt that serious commotion must be the consequence. It was too much for a patient man to hear without emotion, that when he (Mr. W.) and his friends had for 20 years been disclaiming the charge of any attempt to make the negroes free at once—when the negroes believed this themselves—they should bear the blame, when the piece which the planters had loaded had burst among themselves: but if he had succeeded in explaining the real nature of the registry bill, there was nothing more innocent in itself. If we had intended to make an explosion in the West Indies, the door might as well have been shut altogether, for such an event would prove no redress for the evils that existed. It would be as consistent to maintain that the disturbance excited on the subject of the corn bill was the fault of parliament, and that no benefit resulted from that measure, because it had been attended with some degree of rioting, as to attribute the insurrection in the West Indies to the operation of the registry bill. Were we precluded from considering the distressed state of the country at any time, merely by the possibility that the disclosure of its sufferings might augment discontent, and lead to revolt? If he had acted with prudence, if he had used no intemperate language, and proposed no violent remedies, he might lay his hand upon his heart, and congratulate himself upon the conduct he had pursued, whatever results might spring from a misinterpretation of his motives, or delusive perversion of his ends and designs. But he would not rest here: he would go farther, and say, that the insurrection which all lamented had proceeded from the intemperance of the colonists themselves, and was to be attributed to the imprudence of their language and conduct. Whatever had happened had no reference to himself or his friends; he had no share in creating the explosion that had been felt: he washed his hands clear of the blood that was spilt. He did not wish to agitate the subject, or to enter fully into the state of the island which had experienced this convulsion; but if he were to do so, some other explanation might be furnished of the discontents and exasperation that had led to it than was afforded by the registry bill. If he were to state circumstances of which he had obtained information, he might say, that in that island, as there were few resident proprietors, there might be a class of people that did not so much consult the feelings or comforts of the slaves as in our other colonies, and that they pressed upon the rights of that degraded race with a weight which they felt intolerable. They had no temptations to revolt from the peculiar nature of the country furnishing them with the means of concealment, nor could they have any very sanguine hopes of success from the disproportion between themselves and the white inhabitants. There were no mountains, forests, or great inequalities of surface in the island, and there was a considerable military force; so that impatience under suffering, rather than hopes from revolt, might be supposed to have stimulated them to the conduct they pursued—a conduct which, though it was to be lamented, and could not be justified, nevertheless admitted of explanation, without recurring to the discussions of parliament, or the exertions of himself and his friends.

He would, however, proceed no further with this subject: he had even gone farther than he intended when he entered the House. He had at first been anxious that an inquiry should have taken place into the whole transaction, and had resolved to move for papers to illustrate the situation of the negro population in the island alluded to; but he would now restrain himself, as much information was already afforded by the papers laid before parliament, and as the demand for new documents might tend to inflame, or might be liable to bad construction. Adverting to the registry bill which had led to the present discussion, he would declare that, in his opinion, it constituted a measure that could alone complete the great work of the abolition, and afford security and certainty to all previous measures. It was not only desirable, but absolutely necessary as a part of the same system which, to the credit of humanity, had already triumphed. We had not the same means as formerly of preventing illicit traffic: we had not so many cruisers as we found necessary in time of war, nor the same pretences for examining neutral vessels. The enactment of the registry bill would be more than sufficient to compensate for the loss of these temporary advantages, and seemed liable to no objections. It had, however, been resisted on the other side of the water, and by the friends of the colonists here; and the arguments they brought forward, if not convincing, were at least uncommon, and not a little surprising. One of their arguments on which they most relied was, that there was no necessity for the measure at all, and that a certain expense should not be incurred to provide against an improbable infraction of law. They appeared astonished that smuggling should be supposed possible: they vented their indignation against any individual who should suppose the colonies capable of pursuing an illicit trade. It was said, that "great wits had short memories." On the supposition alone that the colonists verified this proverb, could their conduct be explained, or their former opinions contrasted with their present, without involving a charge of wilful inconsistency, or interested change? When the abolition act was proposed, it was urged against its enactment that it could not be efficient; that the importation of slaves could not be prevented by any rigour of punishment, or any vigilance of precaution; that if the trade was forbidden by law, smuggling would carry it on to nearly the same extent, and with an aggravation of suffering. All the friends of the West Indian colonies agreed in this opinion—the slave-merchants, the captains of vessels employed in the trade, the anti-abolitionists in parliament, and the colonial assemblies. The assembly of Jamaica had given its opinion "that an army would be necessary to guard the coast, and to carry into effect the provisions of the bill; that it could not be supposed possible that smuggling could be entirely prevented even by such a precaution; that there were so many creeks and bays into which a vessel having slaves on board could be run, that a landing might always be effected, especially when the individuals engaged would find it so much their interest to attempt such a proceeding; that where so much was to be gained, every thing would be risked; and that even a military force in aid of the custom-house officers would be found ineffectual." Such was the language held on the other side of the water when the measure of the abolition was in progress. The tone and professions of the colonies had now entirely changed. He had seen great changes in the opinions of individuals during the progress of their lives, and great inconsistencies in their professions: but he could not have supposed it possible, unless it had actually taken place, that the same persons who delivered the opinions he had stated should now maintain others so palpably opposite—that those who formerly declared all precautions against smuggling ineffectual, should now pronounce them unnecessary—that those who thought the colonies would not refrain from breaking the law, should now wonder that they should be supposed capable of it [Hear, hear]. People sometimes doubted the sincerity of new converts. The colonists did not now grumble that the measure against which they had objected was carried—they professed their most cheerful acquiescence—they submitted to the law to the utmost extent, and wondered that they should be supposed capable of infringing it. How they could say this with a grave face, with the recollection of their former reasonings and avowals did seem surprising and scarcely credible.

He had stated the probability of smuggling in opposition to the present current of colonial declaration: but he did not rest on probability alone for justifying the measure of a registry. He had received positive information (he would again refrain from mentioning names), that there were particular instances of illicit traffic that had lately occurred, and he would probably move for papers upon the subject to-morrow. There was a portion of a report drawn up by a committee of the Jamaica assembly, that contained great grounds of suspicion. He would not enter fully at present into the facts, but he would state the argument which he rested upon it in a few words. The report contained a statement of the numbers of the black population for sixteen years—namely, from 1800 to 1816, and in all those years but one there was a decrease. Up to the year 1808 importation was permitted: after that period, by the enactment of the abolition bill, it should have entirely ceased. It was remarkable that in all the sixteen years but one, there was a decrease; and that in that one year the laws that regulated the population had been changed, for there was an increase. There were circumstances stated that might affect the census in three years of the period he had mentioned, but only one of these years appeared to vary from the rule that prevailed in the rest. What year was that which was so distinguished? It was no other than the year that had elapsed between the notice given by his hon. and learned friend (Mr. Brougham) of his bill to make a contravention of the abolition law a felony, and the enactment of that salutary measure. Was the principle of the population changed in this year? Or what other cause had created such a difference between that and the other fifteen years? The true cause would be found to arise from the operation of his hon. and learned friend's notice. It was imagined justly, that importation might not be so safe after the felony act passed, and that it was necessary to procure as great a supply of slaves as possible before the danger of smuggling was so much increased. If this suspicion was natural, and this inference admissible, there were other circumstances that increased the suspicion, and rendered the inference almost conclusive. The increase of slaves had taken place only in one year; the committee was aware of this, and of the suspicion that it might excite. The difference of this year was, therefore, attempted to be accounted for by a circumstance that extended its influence over three. They stated, that the census of three years could not be depended on, because during three years of the period in question there was no poll tax bill by which the number could be accurately ascertained. Of these three years, one was stated by the agent to be 1811, the year preceding the operation of his hon. and learned friend's act. Upon what grounds this year was determined on, he could not resolve; and the highly respectable individual whom he alluded to could give no information when such information was required through the medium of his noble friend opposite. There were here, however, singularly suspicious appearances. There were fifteen years of decrease in the negro population, and only one year of increase: that year happened to be a year in which the greatest temptation to smuggling existed; and when an explanation was required of this fact, the one resorted to was a reference to an ambiguous statement, which could not itself be explained or proved. He would wish to hear any gentleman who thought himself able for the task attempt to remove this difficulty—to reconcile this inconsistency. He had never yet obtained any thing like a satisfactory solution. The reasoning to which this fact led had been ably enforced in a pamphlet which many members of the House might have read, and which he would recommend to the perusal of all who took an interest in the subject. When, therefore, there was a suspicion of smuggling in slaves — when there existed the opinions of the colonists themselves, that it was practicable—when, by the peace, the difficulty of preventing it would be increased—when the temptation to it would be rendered stronger by the high price of West Indian produce, and the diminished number of slaves—when there were even strong grounds to suppose that it had taken place in some of the smaller islands—when all this was considered, nothing more would be required to show that some further measure was necessary to ensure all the blessings of the abolition act, and to realize our hopes for the amelioration of slavery itself, which must be the result of that important measure.

There were several other parts of the Jamaica report well deserving of consideration, on which, however, he would not at present enlarge. The great argument of the colonists against the registry bill was founded on the impropriety of legislating for the colonies in cases where the colonial legislatures were willing to accomplish the objects at which the British parliament professed to aim. We should depend, it was said, upon their wisdom, zeal, and good intentions, till we saw our hopes frustrated by their perversity or tardiness —till we saw that they delayed in effecting the objects of the registry; and his noble friend seemed inclined to repose confidence in their professions, or in the success of government efforts to influence their decisions. He (Mr. W.) was afraid that any very sanguine hopes that might be entertained from the zeal of the colonial legislatures would be disappointed. He much suspected, that if not urged by us they would not execute the duty themselves. He would only state one fact, to show how little dependence could be placed in their efforts to accomplish the objects of the registry measure. When the measure of the abolition was under discussion in parliament, they were urged to reform in the system of slavery by those whose advice they would have been most ready to take—by those on whom they in a certain degree depended—by men of their own body—by men, too, who were seconded in their recommendations by the influence of government, and who could act upon them by the powerful hope conveyed in secret instructions, that by such reforms they could defeat the measure of the abolition, which they opposed and reprobated; and yet, notwithstanding this mighty force levelled against their prejudices or their ill understood interests, they obstinately resisted all plans of amelioration, and not only failed to follow the advice given, but universally neglected or despised every suggestion. One of the reforms he alluded to, regarded the policy of perpetuating the connexion of the slave with the soil on which he labours. Their transference from one estate to another by sale, or by any other forcible separation, constituted one of the most degrading and most painful evils of their unfortunate lot. After having laid up a stock of gratitude with an old master by their fidelity or useful services—after having acquired merit and a character in the eyes of those they served or associated with — after forming friends, family, or local attachments which were calculated to alleviate, in some degree, the sufferings of bondage and captivity, they were liable to have all those ties cut asunder, to be torn from the friends and the place to which they were habituated, to be driven to a different part of the island, to lose, as it were, again the benefits of the country of their adoption, to endure something like the evils of a middle passage, and to settle under fresh fetters of slavery in a different estate, and under a different driver. Mr. Bryan Edwards recommended a measure to prevent these evils, and to protect the feelings of the negro population from being so inhumanly outraged; but now the Jamaica assembly object to it as a law fraught with every kind of mischief, and calculated to destroy the rights and the prosperity of the colonies. He (Mr. W.) mentioned this merely to show that no great reliance could be placed on the anticipated enactments of colonial legislatures. When the abolition of the slave trade was proposed, the planters in Jamaica professed that they had no interest in its continuance: they said, "You are the authors of the trade—you encourage it by sending us slaves." He (Mr. W.) allowed this imputation; and as we were said to be guilty of promoting it, we should now become the authors of its complete prevention.

When he remembered the origin of those exertions that were made for the abolition of this inhuman traffic—when he remembered the opposition he encountered—when he remembered the calumnies and delusions that were invented and spread by slave merchants, by planters, and all those interested in vilifying his character, or the cause he advocated—and when he called to mind that the great object for which he contended was gained, that his enemies were baffled, and by the able support of the friends of the cause in the House, joined to the good sense and good feeling of the country, he could not despair of seeing the great work completed, and the registry accomplished. This work of humanity would at last make its way into the heads and hearts, the understandings and the feelings, of the whole mass of the nation, and would triumph over all opposition. The opposition that had been already overcome afforded him a complete pledge of final success, and rendered him regardless of those things that were uttered and published against him. He had been charged by an hon. gentleman opposite (Mr. Marryat) with methodism and fanaticism. If to profess humanity to our fellow creatures, and to endeavour with zeal to carry into execution whatever measures lay in his power for promoting their welfare, were the hon. gentleman's definition of fanaticism, he was afraid that he was a most incorrigible fanatic. But if his zeal in this cause showed him to be a fanatic, in order to alleviate his distemper, the hon. gentleman would succeed better by placing him under a very different regimen; and if he really was a fanatic in the cause of the abolition, he was glad to think that he was one in so good a company [Hear, hear!]. The hon. gentleman had been a little louder, more zealous, and more abusive of late—a circumstance which he (Mr. W.) ascribed to his agency [Cries of Hear!]. If all that he had heard were true, he doubted whether or not the acceptance of this appointment might not operate as an exclusion from the House, and he had once thought of bringing the matter before parliament. It was a comfort to him (Mr. W.) to find that he had formerly been treated in the same way—that he had been equally opposed, and that the opposition from such quarters was totally inefficacious. He would even go farther, and he would tell the hon. gentleman that he expected success to the measure he had in contemplation through the influence of that very quality which, under a false name, he vituperated: he expected the accomplishment of his object through the fanaticism of the people of England. He trusted to the religion of the people of England, to their humane and christian feelings, for support in his endeavours; and through their support, for final success in a cause which involved both humanity and religion.

He would only state one other argument urged against him, which, being so curious in itself, he could not pass over without notice. When he proposed to remedy one evil, his opponents cried out to him and his friends, why not go to a greater? Why not exert yourselves in the cause of Ireland — why not go to Scotland, and use your endeavours to rescue the lower orders from feudal oppression, and accomplish other such objects? He knew the heads and the hearts of the Irish too well to believe that they would receive as a compliment an accusation directed against those who, when an opportunity occurred of benefiting them, would probably be more forward to embrace it than the hon gentleman. Nay, he was sure that they would take it as an insult to hear their situation as subjects of a free government, and enjoying the blessings of an envied constitution compared with the degradation of our fellow creatures oppressed with slavery in the West Indies. The hon. gentleman knocked at every door for charges against him, and showed, according to the decision of a stranger who, seeing two people arguing, and those using violence, judged him who got first into a passion to be in the wrong, that he felt himself not very confident in his cause. As for himself (Mr. W.) he felt himself comfortable, because secure of his cause, and confident in the reasons that supported it. The hon. gentleman had involved the church of England in the dispute. The Moravian brethren, and the missionaries had been extremely useful; and did the hon. gentleman think that by abusing them he was paying a compliment to the church of England? In the spirit of christianity, the church of England, and Scotland, and Ireland, would rejoice at the success of a good cause, with whomsoever it originated, or whoever carried it on. In conclusion, he said, we ought always to remember, that we were more disposed to stand by the master than the slave—to sympathize with men of property than with the oppressed. The cause of the latter he now pleaded, and he was glad to see around him many of those friends whose talents had never been more nobly or more successfully exerted than in supporting this cause. Seconded by their eloquence, and relying on the good sense, sound principles, and moral and religious feelings of the people of England, he entertained the confident hope that he would be able to succeed in this last great measure. He concluded by moving, "That an humble address be presented to the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, the titles and dates of any acts of the assembly of Jamaica, transmitted for his majesty's approbation, by which any poll tax on slaves was imposed for the years 1808, 1809, 1810, 1811, and 1812, or any of those years, or by which any returns of slaves were required to be made in the said years for the purpose of such taxation, or otherwise; specifying at what time or times such returns were directed to be made."

Mr. *C. N. Pallmer* began by saying, that a duty which he owed to a most respectable body of persons with whom he was connected in a manner highly honourable to himself, commanded that he should address the House upon the subject of the motion which had just been submitted to it. Reluctant and unqualified as he felt himself, he could assure the House that he should not trespass long upon its time and attention: he could assure the House too, that he felt, with no small force, the addition which it formed to the other disadvantages under which he laboured, that he had to follow a gentleman, whose long habit it had been—and he certainly had not upon this occasion departed from it—to fix its attention by his eloquence, and to persuade it by his reasoning. His (Mr. P's) business it was to submit to the judgment of the House a few plain statements; and he had only to hope, that if any weight belonged to them, it would not be lost by the imperfect manner in which he was convinced he should make them. He was free to confess, that the speech which he had just heard, would, in some degree, alter the course which he had intended to adopt in addressing the House. If he had entertained any doubt whether the House should for a moment prefer, to an address for information, the duty of removing an existing agitation, that doubt would have been removed by the speech which had just been heard, and which seemed, in his judgment, only calculated to increase an irritation, which all persons, he should have hoped, would have wished to allay. That speech had pathetically described all the evils, which had been ever supposed to belong to the colonial system, whilst it had lightly touched upon the ruined families, the desolated property, and the lives lost in Barbadoes, and it had concluded with a jocularity which he (Mr. P.) thought was not very well suited to either subject. It would be his endeavour to prove to the House, that instead of looking for information with respect to abuses, its first business was to attend to the present situation of the colonies. Upon ordinary occasions, he could assure the hon. gentleman, that in seeking for information upon West Indian affairs, he would find him the last person to interpose an impediment to his obtaining it. He believed, that whenever the House and the country should be in possession of full and minute information as to the real situation of the colonies, notwithstanding what might have been said to the contrary, much would be found which would afford satisfaction. If those persons who had administered the affairs of the colonies during the eight or nine years which had elapsed since the abolition of the slave trade, had not, amidst their other employments, laboured in the improvement of the religious and moral condition of the negroes, with a degree of zeal and activity commensurate with the expectations of those in this country, who had those objects so much at heart; he would ask, in what country, however civilized, was it that much did not remain to be done for the lower classes of the population? In what country was it that improvement had kept pace with the sanguine expectations of zeal and benevolence? As applied to a great system, the period of eight or nine years was but a very small period; and was it necessary to remind the House that rapid changes in great systems were not always practicable, and very seldom safe? But he believed that the House would find that improvements had taken place in the colonies; that a considerable check had been given to the decay of the negro population; that a great number of the slaves had been admitted into the pale of christianity; that additions had been made to their domestic comforts: and that religious instruction had been afforded in several instances. But if it should appear that in this latter respect every thing had not been done which every christian would have wished, he must caution the House against attributing the blame entirely to the West India planters: they entertained a predilection (which he hoped the House would not condemn) for instructors of the established church; and he would appeal to his majesty's government for a confirmation of his assertion, that such instructors were not to be found, to answer the applications of the West India planters. And here he felt it his painful duty to state that what he had called a predilection on the part of the planters, was in fact a necessary precaution. Persons had been found, assuming the sacred office of religious instructors, making their way into the interior of the islands, instilling into the minds of the negroes doctrines subversive of the public tranquillity, mixing with the truths of christianity the dreadful principles of insubordination and insurrection; and they had not hesitated to join in this impious association, the name of the hon. mover himself.

In the search for information upon this interesting subject, the House would do well to inquire of every impartial person who had ever visited the colonies, as to one very material point; namely, whether, notwithstanding the evils which may be said to belong to slavery, there did not exist in the colonies amongst the negroes—at least whether there had not existed until within the last two years—a sum of comfort and content not only very considerable, but capable of no disadvantageous comparison with the condition of the lower classes of the population in any other country, even in this. He begged to protest against being considered to maintain that such comfort and content, be it what it might, could compensate for the absence or the delay of religious and moral improvement; he merely mentioned the fact, in order that things might be seen in their true light, and to afford some consolation to those who, viewing isolated slavery, can see nothing in it but discontent and misery.

So much for the speech of the hon. gentleman as far as it related to information; but as far as the hon. gentleman held out to the House an intention of founding, upon such information any ulterior measures, he should beg to be allowed to say a few words. He deemed it his indispensable duty, solemnly to call the serious attention of the House to the situation in which a most important national interest was placed, by the course which the hon. gentleman, and those who acted with him, thought it expedient to pursue with respect to their measures,—fully persuaded, that the more the hon. gentleman considered the registry bill, the less likely it would be, that he ever would again introduce that bill into the House, such as it was when laid last year upon its table; yet he could not help imploring him and the House to consider the effects of keeping that bill suspended over the heads of the colonies. Was it necessary to describe the present state of those colonies? Was it necessary to say that the negroes minds had been so agitated by false expectations, that already some hundreds of them had been sacrificed — the greater part of whom probably but two years ago would have laid down in defence of their masters those lives which they had now lost in an unavailing resistance to them? But what was the situation of the white population in the West Indies? Already emigrations had begun to diminish the small number of their inhabitants, and safety had required the removal of that part of families the most cônducive to the care and comfort of the negroes. The resident planters considered that their characters had been attacked by unmerited and uninvestigated accusations—that their property had been depreciated by a threat of a total alteration in its tenure and its nature—and that their lives were endangered by the removal of that influence of opinion, upon which alone, in the absence of a superior physical force, their security entirely depended. In this country, the influence of the conduct of which he complained had been materially felt: already a check had been given to the investment of capital in the colonies; negociations of business in many cases remained suspended; in others were broken off; and the whole colonial system seemed to be subverted. And from whence had all this proceeded? Had there been discovered any new abuse requiring a remedy, the very idea of which could produce so much mischief. Was there, in fact, an existing illicit commerce in slaves, to prevent which the registry bill was necessary? So far from this being the case, he ventured to allege, that it had so happened, that by a course in British justice—as much without an example as he trusted it would be without an imitation—the accused, and not the accuser, had been put upon the proof; and he called upon every impartial person, who had read the reports and other documents from the colonies, to state whether the colonies had not established a complete proof of innocency, as to any illicit importation of slaves whatever? If such illicit importation had taken place, he could conceive that it might render necessary the enactment of some measure; but what good could be expected from keeping a measure like the registry bill unenacted, and in a state in which it could neither be discussed nor understood? If the evil existed, and the registry bill were the proper remedy, how could the hon. gentleman justify to himself, to the country, and to those who were so much the objects of his solicitude, to let another session or another day pass over, without bringing it under the consideration of the House. He (Mr. P.) would look for no better proof of the innocence of the colonies, as to an illicit importation of slaves, than what might be found in the conduct of the hon. gentleman himself.

Having endeavoured to describe generally the situation of the colonies, Mr. P. said, that it now became his duty to state to the House the particular situation of two of them: he meant Jamaica and Barbadoes. In the former of these islands, there had prevailed a great deal of delusion, and in some instances it had assumed a very alarming appearance. In one in particular, which had been the subject of solemn judicial investigation, so clear a case had been made out, that one person had paid the forfeit of his life, and another had been transported for a conspiracy against the safety of the island. It had appeared, that nightly assemblies had been held, at which a sort of religious ceremony was performed, and a hymn was sung, the purport of which was to return thanks to Providence, that their good friend, naming the hon. gentleman, had made them free, but that their masters would not allow them to be so; it concluded with an interrogatory, as to what they should do to be free, and a chorus, in which all the assembled joined in repeating, "Take free by force." The information which he had received, left him no reason to doubt, that these principles and practices had prevailed very extensively throughout that part of the island of Jamaica, in which the event he had mentioned had occurred: and he had reason to fear, that the delusion had not been confined to that district alone. Amongst many other proofs which he possessed to justify such a statement, he would only read one letter which he had received from a man of great respectability in Jamaica, and whose name he should always be ready to give. The letter stated as follows:—"As far as I learn, all is yet quiet here, but it has been very evident the minds of the negroes have been on the spring from the day this registry bill first made its appearance. Nothing is more clear than that the negroes believe the bill gave them their freedom, and that it is unjustly withheld from them. Of this no further proof need be adduced than their surrounding the custom-houses to windward, and calling upon the officers to register their freedom." It was to be remarked, that the events alluded to in Jamaica had happened in distinct and distant parts, at different periods of time, and therefore gave too much reason to think that the dangerous delusion was not partial or confined. Of the details of the melancholy events which had happened in Barbadoes, the House were already informed: he could not, with any regard to its time, describe all the particulars. It was not unknown to the House, that on Easter Sunday last an insurrection broke out in three parishes, and after a dreadful scene of fire and desolation, it was quelled by the vigilance of those in authority, and the military of the island, at the end of three days but not until a great many lives had been lost, and property destroyed to a very large amount. One of the ringleaders in this insurrection confessed, before his execution, that there was a conspiracy in which the negroes throughout the whole island were concerned, that it was to have taken place on the following Wednesday—every male white person was to have been murdered—every female reserved for a worse fate—and the plan was principally frustrated by its having taken place prematurely. Mr. P. then read a letter from Barbadoes, containing these passages;—" One man, who seems to have been their chief, confessed, before his execution, that a conspiracy was on foot in which the whole or greatest part of the island was concerned. It was to have taken place on the following Wednesday, when every white man was to have been massacred, and the town burned. Mr. Wilberforce's name is on many of their standards which were found. The reason it took place before it was ripe for execution was, from some of them getting drunk, and setting fire to the estates, which obliged the others to go on:" and another letter, which stated as follows:— " By their own confession, they have been long talking of, and expecting their freedom. In many of the estates in St. Philip's, under the pretence of having dances, they have been long in the habit of assembling together in great numbers to concert their plans, and have hired people to read the English newspapers to them, to gather information on what was going to be done for them." One letter from another island, he would beg permission to read, because, whilst it described that island to be in some degree agitated also, it strongly recommended the adoption of measures, similar to those which he proposed humbly to recommend to the adoption of the House that evening: the letter was from the speaker of the assembly of the island of St. Vincent. Here Mr. P. read the letter, in which, after describing the agitated state of the negroes minds, and ascribing it to the registry bill, the writer proceeded strongly to recommend, as the only means of allaying the ferment, a declaration on the part of the parliament of this country, that no intention was entertained of interfering with respect to the freedom of the slaves.

Having described the situation of the colonies, and what had happened in some of them he now came to the disagreeable, but necessary duty, of stating to the House his reasons for believing that the cause of all the mischief was to be found in the conduct of certain persons in this country with respect to the colonies, and especially with respect to the registry bill. He could, he thought, show to the House, that certain principles had been broached, and reasoned upon by persons in this country, relating to the condition of the negroes, and in support of the registry bill, which principles were directly calculated to have the effects so much to be deplored, and actually had produced those effects. These principles, he contended, were, eventual emancipation, contempt of the master and the local authorities, and a reference to a supreme authority in this country for acts of grace and kindness, through the instrumentality of the hon. gentleman; with these were connected complaints of the absence of religious instruction, and allusions to St. Domingo, so as to produce a combination in the minds of the negroes comprehending all these subjects; and if it appeared that all these subjects had operated by a combined influence upon the minds of the negroes, was it possible to avoid the belief that the agitation of these subjects, and the present sad situation of the colonies, were cause and effect? He should begin by stating that the introduction of the registry bill into the House last year, was preceded by the publication of a pamphlet intituled, " Reasons for establishing a Registry of Slaves in the British Colonies, being a Report of a Committee of the African Institution." The hon. gentleman (Mr. W.), who introduced the registry bill, distinctly alluded to, and adopted the sentiments contained in the pamphlet in question, upon which he bestowed great praise. This pamphlet, among other things, contained the following passage: "As it is impossible suddenly to break their fetters, without danger of calamitous consequences, not only to their masters, but themselves, we must suffer them to remain for some considerable period in their present state of bondage. The most extreme and abject state of slavery that ever degraded and cursed mankind, must yet continue to be the reproach of the freest and happiest empire that ever the sun beheld." He would ask, whether here was not a distinct avowal of eventual emancipation? The pamphlet proceeded to state:—"The advocates of a gradual abolition, and the few who refused even to prescribe any term to the slave trade, professed themselves to be as earnest in their desire to reform, by all safe means, and ultimately to abolish, the slavery of our colonies, as Mr. Wilberforce himself." Here was eventual emancipation connected with the name of the hon. gentleman who introduced the registry bill. The report proceeded: "Nor was it to acts of assembly, in any case, that abolitionists professed chiefly to look for the amelioration of the state of the slaves." What was this but a contempt of the colonial authorities? But the report proceeded to state: "What benefit have the slaves in any one island yet derived from the abolition acts and from the favourable disposition in the government and parliament of Great Britain? In their legal condition, certainly none at all. They are still the absolute property of their master; still fed, and clothed, and worked, and punished at his discretion; a few ostensible regulations excepted, which were demonstrably futile, and have confessedly proved to be useless. Still this extreme bondage is hereditary and perpetual; and still the slaves are daily subjected by law to hardships and miseries, against which even the champions of the colonial system have exclaimed, as cruel and needless aggravations of their lot." The writer speaks of the conduct of the colonial assemblies as originating in "a perverse opposition to the voice of a liberal age, and in the contumacy of these petty lawgivers towards the mother country which protects, and the parliament that has power to control them." Such was the statement of the pamphlet with respect to the condition of the negroes, and the conduct of the colonial assemblies. Could this fail to produce discontent and contempt in the minds of the negroes? But it was found necessary that it should touch upon religious instruction, and thus it introduced that subject: "In some of our colonies, at least, and Jamaica in particular, laws have been passed opposing positive prohibitions to the only attainable means of religious instruction and worship; and though the royal negative has been properly applied as often as such acts of assembly have been transmitted for his majesty's allowance, this temporary operation and renewal, aided by means of persecution, which have been craftily resorted to under other, and still subsisting laws, have very materially checked the charitable zeal of those who would have communicated freely the beneficent light of the gospel to the poor pagan bondsmen of our colonies." The report continues: "It is absolutely necessary, unless negro slavery is to be eternal, that those who legislate for the British West Indies, should soon come to a right conclusion on this important point; to which end, no more is wanting than that they should not take their opinions from the foolish prejudices and noisy clamours of a small self-interested colonial minority, but from the clear voice of reason and experience." And it mentions, "The interesting hope that this opprobrious slavery will be henceforth so mitigated in practice, as to prepare the means of its future extinction. That this measure is clearly within the constitutional authority of parliament; that it may most conveniently be taken by that authority; and that it neither will, nor effectually can, proceed from any other."

Was it possible that these passages, or sentiments similar to them, could arrive at the minds of the negroes without producing such effects as those which had happened in the colonies? It was not his purpose to advert to the numerous publications of a similar or a worse tendency which had appeared on the subject; but there was one which he could not omit to notice, because he had reason to believe that it was sanctioned and supported by many of those gentlemen with whom the registry bill had originated. In the "Christian Observer" of January last, published just about the time of the meeting of parliament, in a review of the report of the African institution, respecting the registry bill, were contained the following *christian* passages: "But the danger, we are told is from Jamaica. There is to be found there a formidable population, powerful, and, as the resolutions of this assembly show, resolute, to resist. Strange, indeed, is the effrontery of such a declaration! In that island there are 319,912 slaves, and about 12,000 white inhabitants, men, women, and children. The whole military force which they could possibly raise, would not amount to 2,000 men. Is such a puny multitude to intimidate this great nation from the pursuit of any fit and laudable design? or, if they had the ludicrous daring to make the attempt, would their bondsmen lose so fair an occasion of breaking their galling chains? Is it from Jamaica, whose slave-masters, but for our daily protection, would have the knife at their throats to-morrow, that we are seriously to dread resistance?" And further, "We may turn away our eyes from these scenes of slavery and oppression. But the eye of the Omniscient rests upon them. In this day of our glory, they are a stain on our well-earned fame. In this day of religious zeal, they degrade us from the high station of the patrons and benefactors of mankind. A reformation, radical and effective, in the whole of our colonial system must be made, or the day of retribution is not, cannot be, remote. Even now a negro empire is rising in the Charibbean seas, in fearful strength and energy. The slave-drivers of Jamaica may yet strut their hour as legislators, and publish their childish boasts of independence; but they have, in King Christophe, and President Petion, near neighbours, who may, ere long, if they heed not the calls of mercy and justice, address these blusterers in a style yet more peremptory than their own." Mr. P. proceeded to inquire of the House, whether it was not obvious, that nothing more was necessary to produce what had happened in the West Indies, than that the principles and opinions contained in the books which he had read, should be generally diffused? It could not be denied that the report, and the part of the "Christian Observer" which contained the review of it, had been gratuitously delivered to almost every member of both Houses, and to others; and he would leave the House to form its own opinion of the source from which such gratuitous distribution proceeded when he should have read the following extract from a report of the African Institution lately published, and describing the proceedings of that body during the year recently elapsed;—"The situation of the slaves and coloured population in our West India islands, has been a subject of constant and increasing solicitude with the institution; and it has been thought proper to appropriate part of its funds to the encouragement of publications calculated to prove to the planter, that his own permanent interests are identified with the good treatment and comfort of his slave. The institution has anxiously watched for a favourable opportunity of suggesting measures, which should tend to ameliorate the condition, and raise the moral character of these despised and oppressed fellow-men; and is determined to persevere, until the general feeling of the public shall gradually overcome those deep-rooted prejudices and mistaken views, which have been so long opposed to the happiness and rights of the enslaved Africans and people of colour in those colonies."

But we are told, that this feeling in the colonies, arises from a delusion, and that this delusion has been produced by the conduct of the inhabitants of the colonies. As to the conduct of the inhabitants of the colonies, he would ask, whether under similar circumstances, persons here would have acted otherwise? They had adopted parochial or county meetings, their only constitutional mode of expressing their sentiments, and they had declared their opinion of the registry bill as they really felt it. Would not the same have been done in this country? But some persons may say, if they had not made so much stir, perhaps the business at Barbadoes might not have happened,—perhaps not: perhaps it might have been postponed a little longer, been more matured, and more difficult to be quelled. He could conceive it possible that a man in torture might be told, that if he would be quiet, he might diminish his pains, and that his struggles hastened his destruction; to this he would probably oppose, that his resistance was the uncontrollable effort of nature in favour of life. Mr. P. said, that the efforts of the colonists against the registry bill had been the natural unavoidable exertions in protection of character, of property and of life.

The hon. gentleman who had introduced the registry bill, had thought it right, amidst the many panegyrics which he had bestowed upon it, to compare it with what he called the plan of Mr. Burke and lord Melville. Mr. P. begged to be allowed to call the attention of the House to the real nature of the plan of Mr. Burke, and the proceedings of lord Melville. In the year 1792, Mr. Burke, in a letter dated Easter Monday (a day which would be long memorable in the annals of Barbadoes), and addressed to lord Melville, (then Mr. Dundas), submitted to him a plan for the management of the West Indies, and which plan he describes to be imperfect, but to have for its intent "the disposing the minds of the objects to receiving it without danger to themselves or to us." The plan began by the regulation of punishment, recommending for that purpose (what Mr. P. sincerely believed would not be acceptable to the planters of the present day), an increase of labour, and a decrease of allowance,—it authorized the infliction of a certain number of blows or stripes without the interference of a justice of peace, which it otherwise rendered necessary,—it created a protector upon the spot, in the person of the attorney-general of the island, a man conversant with its laws, and not a person appointed for the purpose,—it interposed the decision of a jury to decide between master and slave,—it levied no fees—it contemplated compensation in certain cases of deprivation of property,—it made manumission the reward of merit alone, and not the consequence of fortuitous omissions, or errors of description; and so far did it carry this principle, that it actually punished crime by a forfeiture of freedom, and a return to slavery,—it authorized the protector of the slaves to appoint inspectors to look at the condition and comfort of the negroes, but it took especial care to enjoin that such inspectors should be directed to "discharge their trust in a manner least likely to excite any unreasonable hopes in the negroes, or to weaken the proper authority of the overseer." Such were some of the provisions and principles in the plan of Mr. Burke. Mr. P. would appeal to the House whether the hon. gentleman, in his bill, had borrowed any one of the principles of that plan, except the principle which it seemed to imply, of internal interference with the colonies, which principle, the plan not having been proceeded upon, could never have come into discussion. But he (Mr. P.) would tell the hon. gentleman of a measure of Mr. Burke's which had been acted upon, and which his registry bill directly went to violate. It consisted with Mr. P.'s knowledge, and the hon. gentleman might easily ascertain the fact, that when the act of the 18th of his present majesty's reign (chap. xii.) was introduced into parliament, with a view to define what would be the control of the parliament of this country over the colonies in respect to taxation, and in which bill it was declared, "That the king and parliament of Great Britain will not impose any duty, tax, or assessment whatsoever, payable in any of his majesty's colonies, in North America or the West Indies, except such duties as it may be expedient to impose for the regulation of commerce;" Mr. Burke was the person, at whose instance the provisions of the act were extended to the West Indies, and those pledges given which nobody could doubt to be completely violated by the registry bill; but the plan of Mr. Burke was after all, inchoate, and never fully discussed; and what was the conduct of lord Melville, to whose judgment this plan was submitted? Did he adopt it? On the contrary, at the conclusion of the Easter recess, in which it seems to have been sent to him, lord Melville himself submitted a proposal to parliament, containing certain regulations respecting the slave trade, seeming to contemplate compensation for losses occasioned by the diminution of that trade, and concluding with an address to his majesty, in the following words;—"That this House would enter into such measures with additional satisfaction, from the hope and persuasion that his majesty will be enabled, by the prudence and wisdom of the respective colonial legislatures, to adopt such regulations within the several islands in the West Indies, as may (by certain means) contribute to the security, tranquillity, and permanent prosperity of those valuable possessions:—that considering the particular regulations which may be necessary for this purpose, to be the proper province of the colonial legislatures, the House had not thought it proper to make them the subject of its deliberations: but if any circumstances should arise, in which our co-operation and assistance should be wanting for this purpose, we shall at all times be ready to afford it." In the debate which followed this proposition, and which was adopted by the House, a great man, whose authority nobody could hesitate to respect, and who took the opposite side of the question (Mr. Fox), is reported to have approved of the address in some parts, and to have added, that "as to the idea of meddling with internal regulations in the islands, he thought that an affair in which there might be some little danger, and from which no adequate degree of good was likely to arise." It might, perhaps, after hearing the opinion of such men upon the subject of legislating for the colonies,—it might be agreeable to the House to hear the opinion of a man no less eminent (the late Mr. Pitt), expressed upon the same subject, but on another occasion. In the year 1796, upon a motion of sir Phillip Francis, having the effect of legislating internally for the West Indies, in favour of the slaves, Mr. Pitt is reported to have said, that "he was clearly against passing any law in a British parliament, that would have in its operation a local application to every estate in the West Indies. He cautioned the House against stirring a question of such a delicate nature. The House had relinquished the power of making any alteration with respect to the property of the negroes; it had given out of its hand the power of taxation in the colonies: therefore, if the stirring of any question was more dangerous and hazardous than another, it was that to which he now adverted."

Before he proceeded further, Mr. Pallmer said, he felt it necessary to advert to what had been remarked by the hon. member on the subject of the Jamaica Report, upon which he seemed to found a suspicion that there had been a considerable importation of negroes into that island, especially in the year 1810. With the exception of the suspicion which thus attached to Jamaica, he was happy to find that the hon. gentleman had not been able to adduce one single instance of a violation of the abolition act on the part of the colonies; and he trusted that what had appeared to want explanation in the population return annexed to the Jamaica Report, would receive such explanation, to the satisfaction of even the hon. gentleman himself. In the first place, if the hon. gentleman would look at the population return of the year 1807, amounting to 319,351, and that of the year 1811, amounting to 326,830, he would find that there was an increase of 7,479; but he would also find, that there had been an intermediate legal importation (beyond the number exported) of 18,982, making an actual loss, during those years, of 11,503 negroes, equal to the annual average loss; without taking into the calculation an accession of numbers under a clause in the poll-tax laws, which he should presently mention. But the hon. gentleman seemed by his gesture to imply that this explanation would not do—he must have comparisons, not between distant years, but between consecutive years. Professing a great degree of incompetency, Mr. Pallmer would venture to attempt to give the hon. gentleman even such an explanation:—the returns were stated by the assembly to be incorrect—if they were correct, there must have been an illicit importation into Jamaica, in the year 1810, of no less than 13,147 negroes. Was the House prepared to believe this? A gentleman, a friend of the hon. member, had written a pamphlet on the subject of the registry bill, in which there had appeared precisely the same reasoning upon this subject as that which had been used by the hon. gentleman. The writer of the pamphlet seemed to have looked with great industry into the passing of the poll-tax laws, but it seemed as if he had overlooked one of the usual provisions in these laws, which might be very material to the present point. The provision to which he alluded was a clause to the following effect:—"Provided always, that this act shall not extend to any new settlers in the country parts of this island, whose negroes or other slaves do not exceed the number of ten. Provided also, that such exemption shall not extend to such settlers after the first three years of such their settlements in the country parts of any of the parishes of this island." Now if the hon. gentleman would look at the return for the year 1807, annexed to the Jamaica Report, he would find it to be 319,351; in 1808 it was 323,827. Was it possible to believe that this increase of 4,476 could have comprehended the importation which took place in 1807 of 15,927 (above the export), without taking into calculation the negroes which had been kept unreturned under the clause in the poll-tax law of the third preceding year? So the return of 1809 was 323,714, a decrease upon 1808, of 113 negroes! Could any person believe that this return could comprehend the import of 1807, of 15,927; and the further import of 1808, of 3,055 (beyond the export), with those which would also come in of a third preceding year under the clause in the poll-tax law above cited?

In 1810 there was no poll-tax; and the return appears incorrect upon the face of it, as it naturally would be. In 1811 comes this enormous addition of 13,147, upon 1810; or, if that year was incorrect, an addition of 3,116, upon 1809. Now, he would ask the hon. gentleman to look at the great importation of 1807 (a great part of which must have been at the conclusion of that year), and the great importation of 1808, and to say whether it was too much to believe, that those being the very last importations before the abolition act, every overseer, tradesman, or new settler of any description, who could acquire a few hundred pounds, or a little credit, would make the most of the last opportunity, and endeavour to buy a few negroes, and avail himself of the clause in the poll-tax law, to keep back their return for taxation? If that were the case, a very large portion of the large import in the end of 1807 and beginning of 1808, and which cannot be otherwise accounted for, would not be liable to return until the middle of 1810, and consequently, the March return of 1811. Those, Mr. Pallmer was sensible, were not the only explanations which could be given; but he was content to leave it to the House to determine, whether they would presume, even upon the imperfect statement which he had offered, added to the many other proofs of non-importation which had been furnished, that no violation of the abolition act had taken place in Jamaica; or whether they would presume, that upon the terror of the motion for an hon. and learned gentleman's felony act, vessels had instantly been taken up, and dispatched to the coast of Africa, and an importation been made into Jamaica, of not less than 13,147 in one case, and 3,116 in another, without its being in the power of the hon. gentleman to produce proof, however industriously sought for, of the importation of one single negro.

Delusion had been much complained of on both sides of this question; but he felt it his duty to beg the House to examine the details of the registry bill, about which they had heard so much, and to say whether it was not in itself a very great delusion. Under the profession of preventing illicit importation of negroes, —under the name and appearance of a simple registration of property—what was it? He begged to disclaim all intention to speak disrespectfully of the gentleman who introduced, or of those who supported that bill; but a sense of public duty and of public danger required that he should speak of the bill itself in language which he thought it required. If any proof were wanting of the incompetency of persons in this country to legislate for the colonies, he contended that such proof would be abundantly furnished by the registry bill. Whatever equivocations might have been used with respect to its preamble, connecting it with what was written and said at the time of its introduction, it was impossible not to consider that it contemplated an existing illicit traffic in slaves. As such, he considered that its preamble was not founded in fact—he considered that every enactment was injustice; that its whole scope and effect was the confiscation of private property, and the subversion of the public tranquillity of the islands. It had the singular infelicity at once to deepen the debasement of slavery, and to convert freedom itself into a curse. The faithful slave, without exception of age or sex, was exposed by it to personal public periodical examination of every "bodily singularity, defect, or deformity" (to use the words of the bill), whilst the unfaithful and disobedient slave escaped into a freedom, for which he was neither prepared nor qualified, and which could not fail to be a burthen to himself, and a pest to society. It took away the protection which the law had thrown round age and infirmity, and helped to cast them upon the mercy of a community, which the supporters of the bill described as neglecting the duties of mercy, when they were enjoined by law. To give effect to the abolition, by guarding against a supply of slaves from abroad, the bill itself produced a powerfully operating cause to diminish the number of slaves at present in the colonies—to guard against crime, it imposed grievous duties and heavy expenses upon persons confessedly innocent, and even upon persons incapable of committing the crime. In a word, if he could have conceived it possible that a person could be so base, as to have endeavoured to frame a measure, by which a sort of deceptious emancipation could have been accomplished, in a manner which would avoid all the points of compensation and inconvenience connected with that measure, and which could hold out to the slaves a motive, and a means, for accomplishing the object themselves, he thought such person could not have framed a more effective instrument for these purposes than the registry bill. Such was an imperfect outline of what the bill appeared to him to have been. He would leave the House to judge whether it was in itself a delusion, or was calculated to delude others.

Unfortunately for those who took the view which he did of this subject, it happened that they had to contend against the influence of feeling, as well as against the force of reasoning; and they had to require of those at whose hands they asked for justice, the patient and tedious duty of disengaging the subject from questions which appeared to belong, but which did not properly belong to it. He must beg the House to consider, that in discussing these subjects, they were not to decide whether the abolition of the slave trade ought, or ought not, to be enforced. They were not to decide whether slavery was, or was not an evil, or ought, or ought not to exist. The abolition law was a law of the land, and ought to be obeyed. It was founded on justice and humanity, and ought to be completely and cheerfully observed, and he believed most sincerely that it had been so. Slavery was a subject of more difficult definition, and with respect to which there were some points which the House could not overlook—it existed under the encouragement and faith of the government and parliament of this country; from them British subjects had purchased that system—what they had bought could not be taken from them without a full compensation; nor could it be altered or depreciated, without such compensation, or an absolute necessity. Humanity and justice, and every natural and moral feeling, required that it should be mitigated, soothed, and comforted in every possible way. No man could lament more than he did, the existence of slavery in any shape—it was a sore part of our system, and the frequent handling of it served to irritate, but not to cure it: the fretful inter-meddlings with it by persons in this country, only served to make it worse; its abrupt removal would be injustice to one set of persons, whilst it would not be humanity to others: to hold out false hopes, only served to substitute discontent and mutual suspicion, where a degree of content and confidence did certainly prevail. The true questions which the House would have to apply to these subjects, would be, whether the colonies had, or had not, infringed the laws passed in this country relative to the slave trade? and whether they were, or were not, of themselves competent and willing to guard against any danger of future violations of the abolition act, which might arise out of new circumstances, and to make all necessary improvements in the condition of the negroes? He hoped, that until those questions were clearly decided in the negative, the House would think that it could not interfere without extreme injustice, and danger. When he said injustice, he did not mean to raise any question about the limits of jurisdiction between the colonial legislatures and that of this country. It was sufficient for his purpose to contend, that let what was called internal legislation be only an indulgence to the colonies, there was nothing to justify their being deprived of it; and as to the extreme danger of doing it, the House, he believed, would not hesitate to admit (if proofs had not unhappily established the fact), that nothing but danger could result from a system which should give the negroes in the colonies to know, that the acts of rigour and restriction under which they labour, have been passed by the colonial assemblies; but that they may look for acts of grace and kindness to a higher and superior authority.

Mr. P. said, he felt it his duty to offer to the House his solemn assurance, that the colonies of this country were at present in a state of great danger; and though he could expect to do no more than warn it of this circumstance, he ventured to say, it would do well to inquire a little into the truth of the statement, from those who are able to give particular information upon it. The House had not far to look back into English history, for a practical proof of the evils which arise from the neglect of such caution. Whatever comfort philosophical politicians might offer to Great Britain for the loss of her continental colonies, by reasonings upon their inutility to her, he believed no man was mad enough at this day, to wish for the loss of our colonies in the West Indies; no Englishman could dwell with pleasure upon the page of our history which recorded the events of our American contest. If he were asked what caused the fatal loss of our continental colonies, he would say, not the stamp act, or any other obnoxious parliamentary enactment, for that could have been repealed in due time; he would say, not an overweening desire of independence on the part of the colonies, for frequent opportunities offered of a return to allegiance and affection; but he would maintain, that it was a pertinacious disregard of the frequent and solemn warnings of local experience—a studied contempt for the colonial authorities;—a line of conduct, which seemed as if it considered that power was right, and that inclination alone could constitute expediency.

He was very sorry to perceive in the discussion of these questions, that the colonial assemblies had been treated in many instances with suspicion, and in many with contempt. To that sort of conduct, and to those who adopt it, he would oppose the good taste and good sense of, he believed, a large majority of this nation. He would ask persons, what they had seen in those who are connected with the colonies, or in the public documents which have been received from thence, what they had heard of the people in the colonies, from those who have visited them, to induce them to think that the colonial authorities are no longer fit to be entrusted with the enjoyment of those rights and privileges which they have hitherto enjoyed, and which he would maintain they had employed, not less for the advantage of this country than of their own? He believed that a great majority of this nation was disposed to do justice to the colonies; that it knew and appreciated their importance; that it was ready cordially to concur in those sentiments of conciliation and confidence which his majesty's government, in a spirit not less of wisdom than of justice, was disposed to use towards the colonies, and which he was sure they would not abuse. During the long and difficult struggle through which this country had lately passed, no part of her dominions partook more largely of her privations, and her sufferings, than her colonies; none followed her fortunes more loyally, or more usefully; they did not deserve to be treated with contumely and contempt.

Before he concluded, he would beg to be allowed to address one word to the hon. gentleman who was the principal mover in the measures to which he had so often had occasion to advert. He supposed he was not aware, perhaps he would not readily believe, that there was in this country, and also in the colonies, a considerable number of persons anxiously desirous to accelerate, by every means in their power, the progress of the religious and moral improvement of the negroes. It was worth the while of the hon. gentleman to ascertain the accuracy of that statement, and the extent to which it applied; for if it were true, it could not fail to occur to him how much it must conduce to the attainment of the great objects he professed to seek, to procure the co-operation and concurrence of those persons; how much it must tend to retard and defeat the attainment of his objects, to disgust or alarm them. Prudent men would be unwilling to open the door of reform, while they saw there were persons ready to rush in, who, without skill, without experience, against every remonstrance from the voice of local knowledge, would proceed to carry into effect the wildest schemes of improvement. Practical and beneficial reformation could best, he would say, could only be accomplished by the aid of those who had to carry it into effect. It did not require much knowledge of mankind to be convinced, that a code, although somewhat defective, if zealously executed, was more likely to be useful, than the most complete code which could be devised, forced upon those who were to be the unwilling instruments of its execution.

One consideration he was anxious to submit to the most serious attention of the House. What had happened in the island of Barbadoes, had taken place in a country level, unwooded, without local fastnesses, a military station, and where there was a population of white and black in the proportion of one to four; the very reverse he stated to be the case in our larger West India islands, and the average proproportion of population throughout them was not more than one to ten. The history of a once great and flourishing French colony had often been alluded to in the discussion of this subject. In his opinion, it was impossible to allude too often to that awful and useful lesson. If there were any one point amidst the many which arose out of this question, upon which there could hardly be a difference of opinion; but upon which, if there were a doubt, it could be removed by referring to every person who had visited those countries, and seen their nature—every governor, and every naval and military commander—it was this—that if it should unfortunately happen that the agitation and discussion of these subjects in this country, should produce in the West India colonies, a spirit of insubordination and of insurrection, it would not be in the power of any force, moral or military, which this country could apply to that spirit, either to control or subdue it.

In conclusion, he had only to repeat, that desirous as he had expressed himself to be for the House to receive the fullest information upon the important subject of the West India colonies, he did conceive that the House had, under existing circumstances, a prior duty to perform—that of dispelling the delusion and quieting the agitation which prevailed in those colonies. Conceiving that this was essentially necessary, and that it was at the same time useful and expedient to call upon the colonial authorities, to take all practicable measures for the benefit and improvement of the negroes, he should venture to move an amendment to the motion of the hon. gentleman, to the following effect:—To leave out all the words of the motion of the hon. gentleman which followed the word "That," and to substitute the words following:—"That an humble address be presented to his royal highness the Prince Regent, praying that he will be graciously pleased to cause communications to be made to the governors of the several islands in the West Indies, signifying his royal highness's pleasure that they do take immediate measures to proclaim, throughout the colonies which they respectively govern, his royal highness's highest displeasure at the daring insurrection which has lately taken place in the island of Barbadoes; to declare, in the most public manner, his royal highness's concern and surprise at the false and mischievous opinion which appears to have prevailed in some of the British colonies, that either his royal highness, or the British parliament, had sent out orders for the emancipation of the negroes; and humbly to request his royal highness, that while his royal highness directs the most effectual measures to be adopted for discountenancing these unfounded and dangerous impressions, his royal highness would also be graciously pleased to recommend, in the strongest manner, to the local authorities in the respective colonies, to carry into effect every measure which may tend to promote the moral and religious improvement, as well as the comfort and happiness of the negroes."

Mr. *Watson Taylor* seconded the amendment. He said, he had attended to all the statements of the hon. gentleman who had spoken of the degraded state of the negroes. He disagreed with the hon. gentleman who thought that the late calamitous events were not in any degree connected with the discussions in that House. On the contrary he was persuaded they were to be attributed to them. He wished the House to legislate upon this important subject, not theoretically, but as became practical reformers. He was persuaded, from the condition of the negroes, that if mischief was not done by the agitations and discussions in the House and in this country, much might be done towards their amelioration. He conceived that the proposed bill tended to create a distrust in the mind of the negro, by inducing a belief that his master was indisposed to do that which the legislature wished to do. The hon. gentleman who spoke first had referred to the inefficiency of the House of Assembly at Jamaica: of that body he thought it right to say, that it was composed of persons of high accomplishments, full as much so as any member of this House; but how was it possible for the colonial assemblies to carry into effect the measures of conciliation recommended, when they were accused of falsehood, and when every opprobrious epithet was used to prejudice them? He trusted the British parliament would act with liberality, and do justice to the rights and interests of the colonies.

Mr. *Barham* said:—Sir; although it is my intention to vote for the motion that has been last made, yet, in my opinion, it falls short of what is called for by the occasion, and what the hon. mover would have been supported in proposing, by the present feeling of the House. Let us examine what that occasion is. A charge is brought against the colonies, accusing them generally with oppression, cruelty, and indeed of every other enormity of which human nature is capable, but particularly of carrying on a felonious trade in slaves, and a bill is thereupon brought in professing to remedy the latter evil. The bill, however, is not followed up, and thus on one hand, no opportunity is afforded to the accused of vindicating themselves, while on the other hand, as was foreseen and foretold, the measure is so misunderstood by the slaves, that it has caused a general ferment among them, which in one island has broken out into a lamentable insurrection.

What, on such an occasion, ought to be done? You ought as soon as possible to do that by the accused, which in common. justice cannot be denied. You ought either publicly to retract the accusation, or to afford them a public judgment upon it. With regard to the slaves not a moment should be lost in tranquillizing their minds as fully as that can be done. Now, Sir, the former of these objects, which would have been obtained, had the measure been brought to an issue, is again deferred, and the latter will, I fear, not be as completely effective, as it might have been; for I do not think that any explanation of the measure which can be conveyed to the slaves will put their minds at rest, as the information would that it was finally abandoned.

The late calamitous events have indeed afflicted, but not surprised me. I foretold them in this House, when about a year ago, there being then some ten or twelve members present, the hon. gentleman (Mr. Wilberforce) thought that a fit moment for bringing in a bill which was to shake the British West Indian empire to its foundation. I have not ceased to repeat this warning in my daily conversation with the members of this House ever since; and I told them not only what would happen, but how it would happen. In one particular indeed, my expectations have fallen somewhat short of the event. I hardly looked for it quite so soon, for I had not sufficiently considered how admirably calculated the hon. gentleman's mode of proceeding was to accelerate the catastrophe. There is no course he could have adopted, so to forward as well as to insure it. I do not indeed mean that my hon. friend has intended to produce these effects, but I must deeply condemn him that being warned that such effects must follow, he rashly persevered and does still seem to persevere. If my hon. friend suspected that a slave trade yet lurked in any of the islands, or that such enormity could exist as the detaining free persons in slavery, why did he not institute an inquiry into the fact? Had my hon. friend done this, he should have had the utmost assistance from those who were best able to assist him, both to discover the evil, and if it were discovered, to extirpate it. Had he merely been apprehensive that such evil might arise, he should have had their utmost influence to obtain in the colonies preventive laws even though such might have to themselves appeared laws of supererogation.

Sir; I have observed with great satisfaction, that many prejudices were wearing out on the side of the West Indians; and supposing that the prejudices against them must also be wearing out, I hoped that the happy day was fast approaching when—their mutual passions being cooled—their great subject of difference at an end—the long contending parties would discover that their purpose, now at least, could be but one; that self-interest and humanity equally called on them to pursue the same path, and aim at the same object, namely, to fit the slaves gradually for as much freedom as you can, and to grant them as much freedom as they can bear. That on making this discovery the parties would shake hands and join in the same pursuit. That one side would not disdain to receive information from the other as to facts and localities, which they had the better means of knowing, and that the other side would not disdain to receive light, and advice from those whose more peculiar study and practice of legislation, and whose more distant, and therefore in many respects more commanding view of the case, must entitle their opinions to the greatest respect. Alas! all this beautiful prospect has been destroyed at once, and destroyed by a man who seems to think that calumny and insult are the only proper inducements to lead men to good, or to confirm them in it, who seems to think that nothing is true but what goes to West Indian condemnation, that nothing is just but what goes to West Indian ruin, and that no means are fit for Great Britain to employ towards her colonies, but force and violence.

The consequence has been such as might be expected. Parties are now thrown to an irreconcileable distance; all the good that might have been obtained by co-operation is lost for ever, and it would be expecting too much from human nature, not to suppose that some good objects which might under other circumstances have been soon attained, will now be at least deferred, because they have been recommended by those who speak only in the language of inveterate enmity. Indeed, some improvements which were growing daily more practicable, are now out of the question, as the minds of the slaves have been filled with discontent, and those of the masters with alarm. It seems, however, that this discontent, and the consequent insurrection, whatever cause they are to be imputed to, are not to be imputed to the registry bill, or the proceedings of those who framed it. Is this really so? If it be, much as I am surprised, I am at least equally delighted. I rejoice just as any man must, who sees his enemy plant himself in a post he can by no possibility defend, and from which he cannot easily escape. To render this escape more difficult, I call on the House to remark, that such is the position by which they mean to abide; namely, that the insurrection was not caused by the registry bill, or the proceedings of its promoters. Sir I am the more anxious to fix this in gentlemen's minds, because it appears that our adversaries are not disinclined when they find it convenient, to slip away, both from their engagements, and their declarations. Of the former I give as an instance, the frequent, the public, and the recorded engagements, that were made before the abolition passed, that there they would stop, that however they might desire improvement, or even emancipation (though I rather think the latter was generally disclaimed, as being impracticable), they would look for these things only in the certain effects of the abolition, or in the spontaneous proceedings of the assemblies. But how is this now explained away? Why, in a way I think not very easy to have anticipated. They meant only that they would not attempt emancipation by insurrection;—a rare concession, truly, and which exemplifies not amiss the extravagant state of their minds. Not by insurrection. Why, who supposed they meant to do it by insurrection? Did not we know that if they did attempt to do any thing by insurrection (with all respect for their philanthropy, and the other virtues that nobody possesses but themselves), they must have been tried for their lives?

This is one example of their adherence to engagements; and I will now produce one of their adherence to declarations. It is too recent to be forgotten, and too plain to be misunderstood. The bill in question was brought in on the ground that there actually existed a contraband trade in slaves. Such was the plain understanding of the preamble, and such the point on which the arguments rested, by which it was supported; and yet now, when it turns out, that no such trade has existed, the author of the bill wheels round, and pretends, that this never was the foundation on which the bill was rested! By whatever name such conduct ought to be characterized; I am anxious to guard against its being repeated in the present case; and therefore I again call on every man to record it in his own mind, that the thing now affirmed is this, that the late insurrection did not arise from the registry bill, or the proceedings of its supporters. Little reliance, Sir, as I may naturally have on my own powers, formidable as I know those to be which are opposed to me, here I do not fear them at all. They will never be able to persuade one man besides themselves of a statement so glaringly untrue. Why indeed should I except themselves? They may gloss it over to themselves as they do to others; but there will be moments when that "still small voice," which is an inhabitant of every bosom, will be heard, and will tell them, "this has been your work." All, it is true, will not hear this with equal pain. Some are so absorbed in contemplating the beauties of their desired emancipation, that they will feel but little for the miseries of the process. The original author of the bill may retire to the delirium of his own passionate prejudice, and fairly balance the happy ruin of the planters, against the unhappy destruction of their slaves. But where will my hon. friend (Mr. W.) hide himself, when at some still and solitary hour, these poor slaughtered blacks seem to approach him and to say, "this time twelve-month we were innocent and contented, and but for you we should have been innocent and contented still!" If ever I have envied any man's fame; if ever I have envied any man's feelings, it has been the fame and the feeling to which my hon. friend was entitled, on his accomplishment of his great work, the abolition. And this is the last moment that I would undervalue that work; for now that, urged on by desperate counsels, he has produced calamities of which no man can foresee the conclusion, he will I fear need all the consolation, which the good he has heretofore done can afford him. That such a change can have happened, and to such a man, is indeed most painful to know! and so painful is it to express it, that nothing less than the desire of persuading him yet to stop in his course, and (if it be not too late) to save himself from the remorse he cannot escape if he proceeds, would have induced me to say what I have said.

But the insurrection, they say, has not been at all owing to the registry bill, or the proceedings of its promoters. Now, we say it can be distinctly traced to that, and no other cause, and we ask what proof you require of the truth of our assertion. Every kind of proof you shall have that is applicable to historical truth, and every kind of proof in the highest degree. Is it testimony you would have? you shall have the testimony of every white inhabitant of the colonies, unless perchance it be that of some itinerant preacher, or some emissary of the African Institution.

Well, but here I foresee that all this testimony will be set aside by one of the two axioms of our opponents. Those who are conversant with their productions will know what I mean by the two axioms, but for the benefit of others, I will state them. Axiom the first is this: Let a man's character be ever so unstained, his disinterestedness ever so manifest, his condition ever so respectable, yet if he is guilty of having any West India property, if he is contaminated with any West India connexion, his evidence is not admissible in any thing that concerns the West Indies, unless it be against them, and thus all those witnesses, who are at least the best informed, are set aside. Axiom the second is the converse, viz. Let a man's condition be ever so base, his character ever so degraded, the immediate motives of his evidence ever so manifestly foul, yet if that evidence goes against the West Indies, it shall be decisive. The only question that seems to be put to him is, "do you bring an accusation? If you do, no matter what you have been, no matter what you are, no matter what you intend to be, your being a West Indian accuser balances all, come to our fraternal embrace, sit down at our love-feasts, clothed in white, and be our brother." Now, Sir, it is quite clear that by axiom the first, the testimony of all the white inhabitants is set aside. But stop, I have one class of men whom it will not reach. I mean all the king's officers, civil, military and naval. The testimony of all these you shall have to a man. Why what can be answered to these? There is however an answer, and I can venture to foretell it. We shall be told, that these indeed would be very unexceptionable, if they knew any thing of themselves, but that taking every thing from the representation of the planters, their statements cannot be relied upon. All white evidence is thus disposed of; which begins to bear a little hard upon me. I am not however conquered yet. Will you have black evidence? if so, you shall have the evidence of all the blacks. The evidence of those noble creatures who stood by their masters defending them at the peril of their lives.—The evidence of those who were misled, and have since returned to their duty,—the evidence of those who before execution confessed the cause and motive of their crime. Here, I suppose I shall be told that these people speak either under the influence of bribes, or the fear of punishment; and certainly if I am thus to be answered, I can proceed no farther, for it is quite clear, that if neither white evidence, nor black evidence be admitted, I cannot prove my case by testimony.

But, testimony apart, we have here circumstances such as perhaps never concurred on any occasion before, and which really amount to demonstration: we have 14 slave colonies, all in a state of profound tranquillity when the registry bill arrives, and upon its arrival all of them are thrown into a state of general ferment. What else had happened to which that effect can be assigned? You say they were oppressed, and oppression is the parent of revolt.—Good—but that state had continued 150 years, and no such consequence had followed. Doubtless there had been occasional insurrections; but these have been confined to very narrow limits, and were very unfrequent. For observe, that neither the Maroon nor the Charibbee wars have any thing to do with an insurrection of the slaves. When such events have occurred, in no instance has contagion spread from one colony to another. Nor indeed could it well, the communication between most of them being rare, and in fact almost impossible from those which lie far to leeward. Granted, then, that these colonies were, to a certain degree, in a state naturally liable to discontent, yet generally exempt from it, and all of them completely free from it at the moment, what can have produced this simultaneous change? can we by possibility impute it to the nature of their permanent condition, which had existed so long, and must we not look for some especial cause acting at once, and in the same manner on them all? The peculiar case of Barbadoes furnishes some additional proofs. This colony is the oldest of any. The laws partaking of the spirit of the age they were framed in, are here more severe than in any other. Yet never has there been in this Island any case of insurrection, or alarm of insurrection. But the registry bill comes out, the ferment begins, the appearance of every packet is eagerly expected with the order for emancipation, and when the last packet arrives without such order, disappointment explodes in a nearly general revolt.

But it is said this event is not owing to the registry bill, but to the misunderstanding of the bill. I can attach no weight to this reply. If I say a thing which I know will be misunderstood, I am myself guilty of the untruth. If I do a thing which I know will from misrepresentation produce injury, I am myself the author of that injury. Thus it was with the bill. We know it was not actually a bill of emancipation (although perhaps by some it was intended to produce that effect); but what was our main argument against it? It was this, that the measure could not fail to be misunderstood by the slaves, and that it would not be possible for us to persuade them, but that it was designed to produce their freedom; if instead of coming from their own masters, and their own government, it should appear to be forced on these by those who had always declaimed against slavery, and expressed their desire of emancipation.

Sir, a still more extraordinary defence has been attempted. The inhabitants of Barbadoes it seems have produced this insurrection themselves; they have contrived their own ruin in order to furnish an argument against the registry bill, and for the same purpose the other colonies have placed themselves in a state of the greatest danger, and reduced their properties to the utmost depreciation. It seems that we, who here in parliament, and others who in writing, have pointed out the mischiefs of the measure, in order to prevent its adoption—we are the persons, forsooth, who have caused those mischiefs, and not they who originally framed the bill, and still suspend it over our heads. Why what were we to do? Were we to be silent when that was passing which we believed would be certainru in, lest by opposing it we might produce a danger? Sir, we know the danger of speaking out, but it was our only chance; haply it yet may save us—the other course was certain death. Still, might we not have contrived it so, that what we said would have had less publicity? How this was to be managed I do not know; but really this is a strange imputation considering the quarter from whence it comes. By whom was the publicity first provoked? Did the hon. gentleman bring in this bill with only the usual publicity which accompanies parliamentary proceedings? No.—it is ushered into notice in a manner altogether new and expressly calculated to produce extraordinary publicity. It is preceded by a publication in the nature of a manifesto, which is circulated with the greatest industry, and with the sanction of an authority as great as any private association can give. This publication, so sent forth, contains every statement, every argument that can induce the slaves to extreme discontent; and if discontent be the parent of insurrection, to insurrection. Its language is passion throughout. The slaves are told that they are oppressed in every possible way: they are told that their masters, both from choice and of necessity, will continue this oppression, but that their masters are a petty, despicable body, both as to intelligence and force; and that there is a stronger power over the water ready to take their part. Yet the mischief which has ensued, is to be charged, not on the book and those who have abetted it, but on those who have answered it without doors, and opposed the measure founded on it here! Some people, however, imagine, that all this might have been kept from the knowledge of the slaves, and they complain of newspapers and indiscreet conversations in the colonies. But it would have been the idlest attempt imaginable to conceal from the slaves the knowledge of what was passing here, and nothing can more clearly show the ignorance of some persons as to the present state of the islands than their supposing it possible. The slaves are also perfectly aware of the means they have of resistance, and pretty well understand the views and means of those who would support them here. Without the slightest hesitation would I communicate to the slaves all the truth on all these subjects, but what I fear is, when they are told that which is not the truth:—when they are told that their masters wantonly oppress them, and ever will oppress them:—when they are told that Mr. Wilberforce, Mr. Stephen, and Mr. Macanley love them better than those who live on their labours. Sir, there may be many exceptions; but I declare my solemn conviction, that a vast majority of their masters are impressed with the most just and tender sentiments towards their slaves. I believe that from their improving customs and manners (which are seldom followed at equal pace by the laws) in the colonies the condition of the slaves has been for some time as rapidly improving as it could perhaps improve with permanent benefit to themselves, and I believe that, if the African Institution were in the place of these masters, they would not find it easy to do much more for the slaves—and as to the pseudo philanthropists and trading philanthropists, I believe they would do much less.

Little need, I think, now be said, as to the alleged existence of a contraband slave trade. I know not, indeed, whether the allegation that such a trade does exist, has been entirely abandoned: but at any rate those who made it have completely failed in proving their case. Proving their case? Why they have not yet been able to frame their accusation. The act of slave trading is a thing that must have time and place. Give us but time and place, and guilt shall be presumed till innocence is demonstrated. But time and place you will not give, for you cannot. *Dolus in generalibus versatur*. Direct facts are out of the question, and the whole is a chaos of surmised and remote inductions from statements which I shall presently show are not always very correct. I beg pardon, there are some few facts—the Spanish census in Trinidad, a statement which carries absurdity on its face. There is the Danish island, where some custom-house officer advertised for informations, and as far as it appears, lost his money—and there is the boy Charles, respecting whose freedom it is thought the jury decided wrong.

The abolition law, like every other law, may have been occasionally broken; but so clear of infraction, I did not suppose the colonies could have been, as it appears they are. The absence of all specific charge is, however, curiously accounted for. The colonists, hitherto represented as so contemptible in their means, all at once start up in a most gigantic shape. They have been able it seems to introduce a system of terror, that mocks all the terrorism of Robespierre or Buonaparté. The deeds of their revenge do not indeed exactly appear, excepting in the instance of a man, who about the time of the American revolution, being an informer on a subject quite unconnected with the slave trade, was tarred and feathered in the American style, and somehow could not obtain justice in St. Christophers. Bless me, Sir, these must be dreadful times indeed; when no informer can be found to denounce a breach of the law, which in its own nature must be so notorious. What! no one neighbour who from honesty, no penitent who from remorse, no discarded servant who from revenge, no person who for the reputation of a saint, will disclose the solemn secret? No, even that fearless and thoughtless class, the British sailors, are here all paralyzed and dumb as by enchantment. But need I go on?—let these mysteries be left to the contemplation of those, who recognise the mysteries of Udolpho as a portion of true history.

Such extravagance does not indeed deserve serious refutation; yet one attempt has been made which calls for notice on another account, namely that it may be held up to public indignation. Would any man suppose that anonymous evidence, not for the discovery but the proof of crimes, would have been proffered to a British public, by a British lawyer, and recommended by a British institution? Yet so it is, and the excuse alleged is, that these anonymous persons being in West India employ might lose their places, if their names were known. What, Sir! did it not occur to the African Institution, to consider a little the morality of employing such persons, or the common sense of trusting them? Men who were desirous of remaining in the employ, and continuing to receive the wages of those whom they were accusing and betraying. But let us consider of what class and description such persons could be. Proprietors they cannot be by their own statement. Nor can they be persons in the principal charge of estates, for then they might have rectified the abuse instead of denouncing it. They must be persons in the subordinate stations. Could not this African Institution with all its riches and its influence, have indemnified a West Indian overseer? Could not my hon. friend, who is said not to be always unsuccessful in this sort of negociation with government, have made an application for some trifling post, on such an occasion? Well, Sir, if the accusers will not indemnify their witnesses, the accused shall. Let but these worthies step forth, let them prove their charge, and let them afterwards show they have in consequence been discarded from any employ, and I venture to promise that the loss shall be made good to them, even by the colony they shall have served to convict. Now, Sir, I hope I have unlocked the lips of the great African Institution, and I suppose my hon. friend will start up to interrupt me to produce their names [Here Mr. B. paused, but Mr. W. said nothing]. Sir, there are one or two more points connected with this accusation which require notice. The first is the process employed in it. I had imagined that according to the notions of justice in every age, and every country, the first thing in such cases was, to establish the actual existence of the crime; but here a new process is discovered. The first thing is, to pitch on a set of men and to speculate how far they are likely from their habits and characters to have committed crime and then upon what is called "a very little direct evidence,"* to find them guilty. In order to prove the existence of a contraband trade, it is stated that the colonies, and particularly Jamaica, are hostile to manumission. In order to prove that the colonies are hostile to manumission, it is said that laws exist, requiring any one who shall manumise a slave, to enter into a bond that such manumised slaves shall not become chargeable to the parish; but that this is a mere pretext, the real object being to discourage manumission. The contrary is affirmed on behalf of the colonies, and to this it is answered that such affirmation is false and fraudulent, for that "manumised slaves are not chargeable to the parish." From recollection I thought they had been chargeable, and by inquiry I find I am not mistaken. Thus it appears, that those who so coarsely give the lie to others, are themselves at the very moment guilty of a mis-statement of facts.

It is said, that a systematic opposition is given in the colonies to the religious instruction of the slaves. Now, I am the more desirous to speak to this point, because perhaps I may possess some information on the subject which has not fallen in every one's way. I am proud to say that it is on my estates that the first Christian missions in the British West Indies have been established. But it is not on my own account that I am proud. I have done no more towards them than obeyed testamentary injunctions in the best way I can. They owe their origin to a man who, if to have devoted his life and his fortune almost entirely to pious and charitable purposes, entitle a man to be mentioned with honour, should be mentioned thus, at least by a son. So early was this respected person impressed with the duty of procuring religious instruction for the slaves he had inherited, that even from Oxford he went to Jamaica, accompanied by the late excellent prebend of Canterbury, Mr. Downing, for the purpose of establishing missions there. Application having been made without success to several bishops, for persons willing to undertake the office, they next applied to a body known by the name of United Brethren or Moravians, from the country where they first arose about the time of the Reformation, from thence they were afterwards driven by persecution, and have been subsequently recognised by act of parliament here, as an ancient protestant and episcopal church. The missionaries of this body, had already met with great success in the Danish islands, and some of them were prevailed on to go to Jamaica, there they have ever since continued, branching out in various directions, and to different islands. Their success has not been equal. In Antigua and some other islands, it has been great; in Jamaica, I am sorry to say, not so considerable. The causes of this difference are hidden from human sight, but I can testify that men more devoted to their duties, or more exemplary in their lives, there cannot be, than those I have seen in Jamaica.

Now, Sir, when I read that the colonies had opposed religion, I wondered to what class of religious teachers the remark could apply. It could not refer to the ministers of the established church; these certainly neither were nor could be opposed. If they were remiss in their duties, the blame could not lie with the colonies, who had no control over their conduct, and I know that the assembly of Jamaica, in order to render them effective, had made a spontaneous addition to their salaries. It must therefore apply to the missionaries of other bodies. Of these the Moravian missionaries were the longest established, and the most widely extended; and it would be, as I thought, a fair criterion of the feeling which existed in the colonies, as to religious instruction, if one could know how these missions were regarded and treated. In this view, I addressed myself to a most respectable gentleman, well known as such to my hon. friend, as well as to some members of his majesty's government, and through whom passes all the correspondence with, and from the Moravian missions. As this gentleman was on the eve of departure to inspect the missions at the Cape of Good Hope, I requested his permission to put two or three queries to him in writing. I have here his reply. His words are as follows.

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* See "Reasons for establishing a Registry of Slaves in the British Colonies, being a Report of a Committee of the African Institution, published by order of that Society, 1815."

"To your question therefore 'Whether 'since the institution of the missions of our 'church among the negroes, we have ever 'found from the laws, or constituted autho- 'rities any such hindrance as would indicate 'a policy adverse to their object'—I answer, That, to the best of my knowledge, the laws and constituted authorities have been uniformly friendly to the instruction of the slaves, and protected our labours in that line. 2. From the inhabitants in general we may say, with truth, that we have met with more encouragement than opposition. 3. Invitations to extend our missions, have, in most of the islands, been more numerous than it is possible for us to comply with, and they continue so to this day, nor do I know of any public regulation, which in any degree obstructs the progress of our missionary exertions."

Now, Sir, if such be the general feeling towards, and such the treatment of those who have been the longest engaged in diffusing religious instruction among the slaves, I think that even if we should find some instances of opposition to other missionaries, the natural conclusion will be that this must have arisen from something accidental or collateral, and not from any objection to religious instruction itself. Truth, however, obliges me to declare, that the conduct of some methodist preachers has been exceedingly indiscreet, and even dangerous. Towns and districts have been kept in a state of alarm from excessive and tumultuous assemblies at their preachings—from unseemly meetings in the dead of night, from discourses more calculated to inflame, than to guide and control the passions of men, and from doctrines, the deleterious quality of which has been found dangerous, even in better established forms of society. If in such cases the constituted authorities have interfered, was it not their duty to interfere. If teachers will mix poison in the cup of salvation, can those be blamed who will not suffer it to be handed round? Even in this country it as been deemed proper to pass laws against irregular preaching, and those laws are still enforced here, where one can hardly suppose that mischief could ensue; and yet there, while the danger is so evident, you blame the colonies for manifesting any apprehension. This shows in a very strong light, what I complain of as the greatest injustice to which the colonies are subjected, namely, that the same action which here is just and proper, changes its character when it occurs in the West Indies. Here you pass a law against irregular preaching;—here, where it seems hardly necessary; and you enforce it without existing complaint or observation; a similar law is passed in the West Indies, and immediately there arises a cry, that the colonies are all enemies of christianity, and you have the whole army of saints besieging his majesty's council to get the law rejected.

On the subject of the contraband trade, I will now only add one or two remarks; but I think if duly considered, these will satisfy every man who means to argue fairly, that it neither does nor can exist. First; to that constantly refuted, yet constantly repeated story, that the planters deem it disadvantageous that their slaves should breed, and prefer resorting to purchase; I reply by stating a fact which every man may easily verify, and by putting a question upon it, which I defy those to answer who still adhere to this notion. The fact I state is this:—It will be found that at all periods I believe, but certainly for the last forty years, all transfers, appraisements, and valuations of property, a newly born infant has borne a considerable price, and an additional price is always affixed to a female that is known to be pregnant, beyond what she would otherwise have borne. Now, the questions I ask are these;—If breeding be deemed disadvantageous, how is it that people will pay a price for pregnancy? and if rearing children be disadvantageous, why are people desirous to purchase newly born infants? Till these questions are solved, I put it to every man's understanding whether he is not forced to the conclusion, that what has been said of the breeding and buying system must be mere nonsense, by whomsoever advanced, and by whomsoever testified? The actual price of a slave in the colonies is now about four times as much as an equivalent slave might be imported for from Africa; now, if the planters be as willing as it is said they are to import, and if they are as able to do it without detection, as it is also said they are, I ask why is it that they choose gratuitously to pay 300 per cent. more than they need. Finally I will observe that it is really not now the interest of the colonies even to suffer a contraband trade. They would lose money by it. The argument respecting income, rests nearly on the same ground. From an increase of slaves, an increase of produce must be expected, and this increase of produce the other proprietors would meet in the market, depreciating the value of their own produce.

Much reliance has been placed on what I and others have said formerly, namely, that it would be impossible, by all the means this country possessed, to prevent the trade, if the colonies should choose to carry it on, and thence it is inferred, that they do and will carry it on. If what I have just now said be conclusive, even admitting that what was stated formerly were now applicable, still there would be no danger, for it is not now their interest to defeat the law. But, Sir, when did we state this impossibility of preventing a contraband trade? Was the world then in the situation in which it now is? Did not every nation then carry on the trade, and has not almost every nation since renounced it? Did not St. Domingo then furnish the greatest facility to such trade, which now furnishes only an awful lesson against it? Above all, is not the case materially changed in this respect, that the trade existed then in full vigour, rooted and ramified through every part of the empire, and that now it is every where extinct? Does it follow that because your means were then insufficient to destroy it, they are therefore now insufficient to prevent its revival? Must I be unable to prevent a seedling from rising under my feet, because formerly I had not strength to unroot a forest? Sir, there are two ways of misquoting one, by making a person say that which he did never say; and another, by applying that which he did say to different circumstances than those he applied it to.

On the subject of right, I cannot agree with those who claim for the colonies some original, and indefeasible right of legislation. Whatever right they have, appears to me to be a grant from hence, and, like every other grant of this nature, must be fiduciary and resumable. But resumable how? On a breach of the trust committed to them; — prove such a case, and I have done. But even if such case were made out, you could only act by depriving them of their charter. You have no right to exercise the discretion while they remain charged with the responsibility. It would be the highest degree of injustice in you to make the attempt, and the greatest folly in them to submit to it. They must of necessity either abdicate their functions or resist you.

But the colonies could not, if they would, submit to a registry bill from hence. In itself a registration of slaves could do no harm, and in point of fact, such does exist in most of the islands. But this bill, connected with the grounds on which it is brought in, the arguments by which it is supported, and the quarter from whence it comes, would be certain ruin. Power, wherever placed, if it is to exist at all, must exist with some respect. That of the colonial legislatures could not be respected after this bill passed into law. The chief function of those legislatures is, to watch over the slave system. Now, if upon this chief of their duties, the slaves shall see their rulers contradicted and controlled, and that on the ground of delinquency; is it possible to suppose that any respect can remain? All subordination will cease; on every new claim of right they will look for support, in every case of resistance they will look for protection, from their stronger friends here. The intervening four months will be a time of anarchy. If concession to their claims shall arrive, it will only lead to new demands; and if refusal arrives, disappointed hope will produce, what disappointed hope did produce in Barbadoes. The colonies can no otherwise exist, than by its being known to the slaves, that there is on the spot a power from which there is no appeal. It is asked, what harm has the registry bill done in Trinidad? I answer, Trinidad has no constitution, the governor is the only visible authority, and from that authority the law proceeds. Let such law come from the established authorities in the other islands, and a proper registry bill will do no harm. You may, if you please, abolish all those authorities, and place a supreme power elsewhere, in order to pass the law; but leaving those authorities, you can not occasionally supersede them, and if you attempt it, I now tell you, you have lost your colonies!

I have said that a proper registry bill might be enacted by the assemblies without harm: of course I mean not such a bill as this. A mass of incongruity, of inconsistent, counteracting and impracticable provisions, which proves that its framers were inconceivably ignorant as to the case for which they were legislating. Sir, had this bill passed into a law, and were every individual in the colonies anxious to carry it into execution, it could not be executed. Observe a single clause; the owner of an estate is bound to give orders, that without tenderness for youth, without respect for age, every female on his property should criminally be stripped by the overseer and book-keepers, in order that even the most secret mark or peculiarity which appears on her body may be discovered and recorded. For one I protest that no power on earth should compel me to issue such an order; and if I did, I trust I have no persons in my employ who would undertake to obey it. The slaves are doubtless degraded below the just condition of men;—so degraded as to submit to see such indignity committed on their wives and daughters. But can it be, that they who have invented this disgusting clause, are the men who would school us for keeping the slaves in a state of degradation? Can it be they who censure us, that we have not contrived to render the morals and manners of slaves more pure; and particularly because we have not contrived to impress them with sufficient respect for the sanctity of marriage? I readily acquit these gentlemen of having intended any thing so monstrous as this clause really requires, but it serves to show, that so totally lost are they in the eager pursuit of their object, that they do not allow themselves to reflect a moment as to the means they would employ. It behoves us, therefore, to reflect for them, and while we agree with them in wishing to do every thing that may ameliorate the condition of the slaves, to take care that we do not produce the contrary effect, and bring on consequences that may make that purpose still more difficult of attainment. The proposing such a clause, does also wonderfully demonstrate what I have often before admired, the inconceivable ignorance of these gentlemen, as to the real state of the slaves. Notwithstanding his long practice on the subject, no man remains more misinformed than my hon. friend; and why? Because he will not receive information from those who can give it, and listening to those only whose object it is to delude him, the truth never comes within his hearing. Any man who had the least acquaintance with the colonies, and who meant to tell him the truth, would have told him, "Such a clause as this cannot be executed, it would be instantly (as it would be justly) resisted by the slaves. They are governed, not by force, but by opinion. They submit indeed to labour for you, because they acknowledge themselves your slaves; they submit to receive punishment from you, because they think you may justly inflict it when deserved; but if you were to pass the bounds of what in their opinion is just authority; if for instance, you would attempt to force them into marriage, or by force restrain their habitual polygamy; if you were to touch their property, or violate any liberty they deem their own, you would meet a very determined resistance."

One word more before I sit down. I have spoken of the African Institution with strong disapprobation, but I wish to distinguish the proceedings of that body from the majority of its members. A great proportion of these are doubtless persons of the highest distinction for talents and virtues. But alas! these are not the men who direct the proceedings, or hold the pen of that society. If such men are asked, how could you say such a thing, or permit such a thing to be done? The answer is always, "We hardly ever go there." Thence it is that every thing is managed by a few men absorbed in prejudice, and these are governed by a set of impostors. They live thus in a world of delusion and error; they get by habit attached to their prejudice as to their creed, and they defend it as their religion. For the excellent persons I have alluded to, I have as much respect (and I think they know it) as one man can have for another. To all their ultimate purposes I would subscribe blindfold. To the wisdom of their means I would bow with the greatest deference, if only they would see with their own eyes, hear with their own ears, and judge with their own understandings. Let them but inquire themselves into the truth of those facts that we deny, and I am persuaded that it will not be long that I shall have the pain of finding myself in any way opposed to them. Let me not offend in supposing them deceived and guided by men as inferior to them in understanding, as they are in virtue. Experience shows that such a case is not uncommon. But rather let me be allowed to call on them to awake, and consider well the consequences of what they suffer to be done in their name. Of themselves, they of whom I complain, could do little harm. If they are formidable, it is only from their malice, to which their madness may serve as an antidote. From their hands merely, the incendiary shaft would drop short of its mark; but winged with the authority and character of such as I now call on, it will carry conflagration and death, through a large portion of your empire. I call on them for the sake of their characters which I revere, and which will be deeply involved in the consequences; I call on them for the sake of their own peace, which I solemnly believe they will murder if they go on; I call on them in the name of their country, which could not now endure the loss that would ensue; I call on them in the name of justice and humanity, equally to the blacks and to the whites (for both must be the victims if they proceed in this course). I call on them to do one of two things; either to enter thoroughly and deeply into the whole case, taking nothing on trust on either side, but what is satisfactorily proved; and then I know their judgment will be just, and their councils will be wise; or if they will not do this, I call on them to withdraw their co-operation from those, into the close examination of whose proceedings, they will not enter, and whose proceedings are mischievous only from having their sanction.

Mr. *Ponsonby* conceived the question to be, not so much whether this or that publication had given rise to the present disturbances in the colonies, as what steps parliament could best take to restore tranquillity and security. The colonies were evidently in danger; the cause of the danger appeared to be some misapprehensions which had spread among the slaves as to the real intentions of the British legislature. It was important, therefore, that the erroneous impression should be removed, and, in order to such removal, nothing could be so effectual as an unanimous vote of the House of Commons. To effect this object, he thought the best plan would be to accede to the amendment, which seemed temperate and reasonable; and he should therefore advise his hon. friend (Mr. Wilberforce), to adopt it. In saying this, he was sure he should not be understood as depreciating the great work of abolition, or the magnitude of the exertions of his hon. friend, for whom he felt as sincere an admiration as any man could: but it was due to the colonies, it was due to the slaves themselves, that every method should be resorted to which could re-establish peace and tranquillity. Under this view he thought the amendment the most advisable proposition; and his hon. friend would, by acceding to it, afford a proof of the purity of his principles, and an irrefragable refutation of those calumnies that imputed to him any designs inimical to the interests of the colonies; but the main object of undeceiving the negroes would be best attained by the unanimity of the proceedings of that House.

Lord *Castlereagh* rose to add his testimony to the propriety of the amendment, to that of the right hon. gentleman. Whatever difference of opinion might prevail on this subject, there should be but one opinion as to the propriety of what was expedient to be done upon the present occasion. He perfectly concurred with his hon. friend who had brought this subject under the consideration of the House, that we ought to aid our fellow-subjects in the West Indies. The first consideration of parliament was, what was it necessary to do for the security of our valuable colonies? The general information the hon. gentleman (Mr. Barham) had laid before the House, corresponded with what his majesty's ministers had received. It was evident that the recent calamities had grown out of a perversion of the meaning of the registry bill which no rational man could have entertained. His majesty's ministers in adopting the bill, could never have intended to have given countenance to so wild a measure as the general emancipation of the slaves. If any thing so preposterous had reached them, as an intention on the part of the legislature of this country to give them unqualified freedom, it was of the highest importance such a delusion should be instantly removed. Such a boon could have no other effect but involving them in calamity. He apprehended the address moved by way of amendment combined three propositions, all of which parliament must be anxious should be adopted, because they were all imperiously called for. We owed it, in the first instance to sympathise with those who had suffered in that part of the world where the late insurrection had taken place, and to make them feel that the exertions of government would not be wanting, but that they were watchful for their welfare; that if we could not undo the misfortunes which had occurred, we were determined to strain every nerve to prevent their renewal. The second proposition was, that we owed it to the deluded negroes to dispossess them of the wild opinion that any thing so preposterous was sanctioned by the government of this country, as that the condition in which they existed, as slaves, could be suddenly changed to freedom; or that the legislature had ever given countenance to any thing but what had for its object its amelioration, an object which he trusted the legislature would never lose sight of.—Much had been said of the danger of discussing this subject in that House. It was impossible in a free country like Great Britain, or in an assembly like the British parliament, to check the course of free discussion. Nor did he conceive that in this case it was so pregnant with evils as some hon. gentlemen seemed to suppose. For instance, he was not aware that any danger could result from his observing to his hon. friend (Mr. Wilberforce), that he lamented that, although in progress of time a revolution in the state of society would in all probability take place in the West Indies, as it had done in other parts of the world, he could not be so sanguine as to expect that either he or his hon. friend would live to see it. That alteration must take place, not by any legislative enactment, but by such a change in the character of the individuals whose state it was to effect as might prove them capable of undergoing it with advantage. They must, in fact, work out their own emancipation, assisted by those under whose control they were placed. The third proposition, therefore, very properly comprehended in the address was, while parliament repelled the supposition that registry meant emancipation, to mark distinctly to the colonial authorities, the anxiety of parliament that they should communicate to the slaves every benefit consistent with the state of society in the colonies, in order that they might be gradually prepared for the enjoyment of the greatest of all blessings. He was the more solicitous that this should be impressed on the colonial legislatures, not from any distrust of their benevolent wishes and intentions, but because he thought it highly advisable that those legislatures, and the legislature of the empire, should give one another mutual and unequivocal pledges on the subject.—He must observe, with reference to the hon. gentleman below him (Mr. Pallmer) who had spoken with so much ability and moderation, that however he must concur with that hon. gentleman in feeling the danger which might arise from misunderstanding the discussions upon it, that we lived in an age when the risks of discussion could not be avoided. He trusted that the legislatures abroad would be sensible of this. He could easily make allowance for the feelings of individuals placed in a situation of danger, and who apprehended that that danger might be increased by such discussions. Let them, however, reflect, that the best chance they had of avoiding such discussions would be by entering into the feelings of their countrymen at home, and by approaching their system as nearly to that which they knew would satisfy the wishes of those countrymen, as was consistent with their sense of duty to themselves and to those placed under their guardianship. If they would do that, they might rely on the sound understanding of the British people, to protect them from the danger with which they were threatened; and as one motive to induce them to do it, it was material that they should be sensible that the tide of discussion in that House could not be suppressed. He would trouble the House with only a few more words.—Of the true meaning of the proposed registry bill there could be but one opinion in this country, and he trusted that it would be clearly conveyed to the West Indies. Being decidedly of opinion that that measure included means calculated materially to ameliorate the situation of the individuals for whose benefit it had been projected, he nevertheless guarded himself against being supposed to be pledged to its entire support. The great object which it had in view was to check the illicit importation of slaves. For his own part, he could not believe that that illicit importation had existed to the extent described by his hon. friend opposite. He also flattered himself that there was a strong disposition in the general councils of Europe to do all that was possible to diminish the evil. We had the satisfaction of the co-operation in this laudable and interesting object of the greatest colonial power on the continent—France. He had the pleasure to state that his majesty's government had received from his most christian majesty the most cordial assurances on this subject; and, in fact, France had exhibited every indication of as decided a determination to give effect to the wishes of England with respect to it, as could have been evinced by those who were the most zealous in the cause. Not only was that bright prospect in view, but it was to be fairly expected, that at a period not very remote the only two great powers, Spain and Portugal, that continued the slave trade, would join in the measure. It was not at all improbable, that one of those great powers, Spain, might be induced to adopt this resolution at an earlier period than had been anticipated. It was certainly to be apprehended that the illicit importation of slaves into our colonies would be carried on to a greater extent during peace than during war. The registry bill would, he trusted, materially diminish this evil, and it would also be an instrument in the hands of the colonial legislatures to enable them to measure the effects of their own benevolent interposition on behalf of the slaves; and he hoped it would stimulate them still further to make those efforts which were no less loudly called for by their own interests than by a sense of duty, of religion, and of what was due to the wishes of the mother country. There were some parts, however, of the hon. gentleman's bill to which he fairly declared that he could not agree. For instance, it appeared to him to be extremely erroneous to annex the immediate manumission of a slave to the defect of his master in making the proper return. But to revert to the question before the House, he repeated that on a view of all its bearings, he was convinced that parliament were bound to make an explicit and unequivocal avowal of their sentiments upon it. He was convinced also that no time ought to be lost in doing this. While parliament should be understood as by no means abdicating their superior control over the legislatures of the colonies, or their right to supply remedies for those enormities which might appear to exist among them, they ought to mark their opinion, that nothing was so much to be deprecated as a wanton interference with those legislatures. For he could assure his hon. friend opposite, that if ever the time should unfortunately arrive when this country would be compelled to legislate for the colonies with her own hands, he was apprehensive that the progress of the cause which his hon. friend had so much at heart, would be much more tardy than it was likely to be under the present circumstances. If his hon. friend did not see any great practical difference in the two propositions, then in the name of God let the address go to the West Indies with the free and full concurrence of the House. His hon. friend would strengthen his own hands, by doing this. He thought that the right hon. gentleman had given his hon. friend most excellent advice in recommending to him to withdraw his motion, for the purpose of allowing the address to be carried. Unanimity was above all desirable, and if, after this varied discussion, the House should be unanimous in voting the address, it would go to the colonies with an unequivocal character; but if, on the contrary, his hon. friend's motion were to be unanimously voted, that vote might be liable to misconception. It might be supposed merely that parliament was unanimous in requiring the information which the motion called for, instead of its being unanimous in undeceiving the unfortunate slaves, and endeavouring to rescue them from the effects of their own ignorance, or from the machinations of those by whom they might have been intentionally misled. He was quite sure, and every body must be quite sure, that his hon. friend had no object but to do good, and if possible to settle the minds of the negroes. He trusted and hoped, therefore, that he would follow the suggestion of the right hon. gentleman, and withdraw his motion. It was of the utmost importance that it should be communicated to the West Indies as a clear and undisputed fact, that the first care of the legislature of the empire was to contemplate the calamities to which the colonies had been subject, and the dangers with which they were threatened, and to apply such remedies as appeared to them best calculated to heal the one, and to avert the other. Any other course might involve a doubt of the principle on which the step taken by that House was founded.

Mr. *Brougham* denied that his right hon. friend had advised his hon. friend to withdraw his motion, for the purpose of making room for the amendment. It was rather extraordinary that the hon. gentleman, who had given notice of a motion for to-morrow night on the subject, should get up that evening, and propose, as an amendment to his hon. friend's motion, that which he had given notice he would not move until to-morrow. However desirous he and his hon. friend might be of unanimity, he put it to the candour of the

House, whether they could be content to sacrifice their declared opinion by assenting to the amendment? Would it not be a sacrifice of their principles, to adopt a proposition founded on opposite principles? After the course that was taken on the other side, where calumnies, which had been fifty times told, and as often refuted, were brought forward and embodied in the speech of the hon. member opposite, when the motives of the supporters of registration had been misrepresented, and when that measure had been coupled with emancipation and insurrection, he felt it impossible to sit silent under the charge, however reluctant he might be to trespass on the time of the House. The gentleman who agreed with him in opinion on this measure, were accused not only as the causes, but as the wilful causes of insurrection. They were charged with a wish for nothing less than the emancipation of the slaves. If on easy terms well, but at all events and under any conditions, they were said to desire emancipation. These he strongly denied to be the principles held by himself or his friends, and he was not surprised at this misrepresentation, when he recollected that which had gone abroad on other occasions, and against men now no more, who, when they exerted themselves on the abolition bill, were charged with a disposition to set the black population of the colonies at variance with the white. He and his friends did indeed wish for an amelioration of the condition of the slaves, such an amelioration as would prepare them for final emancipation, but he did not say that the present time was the fittest for such emancipation, which would now be a curse, not a blessing, to the slave and to his master. His object was to prevent that which the noble lord and others had said at the period of the abolition—the introduction of slaves. It was said at that period by the colonists that it would be impossible to prevent the importation of slaves, for that it was essential to the colonies; but they now came forward, and when it answered their own convenience, they alleged that nothing could be more easy than such prevention. Numerous creeks, and vast tracts of sea, which before were mentioned as so many obstacles to the total abolition of importation, were now declared to be no obstacles. The creeks were easily watched, and the large tracts of sea could be more easily guarded against any clandestine attempts to introduce slaves. So much for the truth and consistency of the statements made by the opponents of registration!—The hon. and learned member then contended, that there had not been, and could not be, a connexion established between the insurrection, which had taken place, and the proposed registration. What were the proofs of this connexion? —A negro, going to execution for insurrection and plunder on his master's estate, was said to have declared it. But admitting that his statement was true, which he did not believe, could there not be other witnesses found to give an account of it besides that unfortunate negro, if it were of the nature described? But no other were produced. There was another authority mentioned—that was the Speaker of the assembly at St. Vincent's; but he did not mention any direct evidence, and only gave an advice, on which the present charge was founded. Yet this was the sort of testimony on which the supposed connexion between the insurrection and the registration bill was founded!—He next contended, that the charge brought against the Methodist missionaries, as the cause of insurrection, was equally groundless; and he alluded to a letter dated the 18th of November, addressed to the editor of the Jamaica Gazette. In this letter two persons described themselves as having put on brown beards and grey wigs, and having gone in that garb, with rueful countenances, to the agents of Wilberforce, deploring the wickedness of the age, and begging to be sent as missionaries to instruct the blacks. They added, that they were immediately appointed to a mission; and they went on in the letter to give a ludicrous account of the mode by which the several missionaries were distinguished. These were the grounds on which charges were made against the missionaries, and the means which were used to bring them into disrepute. But he should say for his hon. friend (Mr. Wilberforce) that he had never sent any missionaries out, and that he was not connected with any society for sending them. He wished indeed that religious instruction should be disseminated, as well for the white population as for the blacks, who were more numerous, and more in need of instruction; and he (Mr. B.) should add, that if the exertions for such religious instruction were confined to the established church, the light of the Gospel would never reach those poor people. He denied that the registration bill was the cause of any of the blood which had been shed; on the contrary, where it had been acted upon in its spirit, no disturbance had taken place. If any bad effects had arisen from it, they proceeded chiefly from the misrepresentations made of, and the misconstructions put upon it. If those misrepresentations and misconstructions had blown up the flame of insurrection, the fault was not with the advocates of registration, but with those who had falsely associated the idea of emancipation with that measure. It was to such speeches as that made by an hon. member near him—it was to the construction put upon the bill itself by some of the legislative assemblies of the colonies. He held in his hand three Jamaica gazettes, in which it was openly avowed that registration was only a cloak for emancipation. When these and such misconstructions of the bill were industriously circulated in the colonies, would it be said that a pamphlet published in London, or speech in the House of Commons in favour of that measure, was the real cause of whatever disturbance took place? If the speeches and the pamphlets in favour of registration could find their way to the colonies, so could the erroneous constructions which were put upon them, and he would contend that the speeches delivered in the House that evening were much more injurious in their tendency than any measure of registration could be. One hon. member had even given an incentive to further disturbance, by reminding the black population of Jamaica, that as they were more numerous in proportion to the whites than the population of Barbadoes, they could more easily succeed in an insurrection. This, he contended, was a much greater incentive to insubordination than all that had ever been said in favour of registration could be.—The hon. and learned member next contended, that it would not be sufficient to leave this registration to the care of the colonial assemblies, who would not take as effectual steps to carry it into effect as might be wished. And he instanced as a proof of the construction they would be likely to put in their own favour on such a measure, a case where, at the interference of this country, it was made a capital offence to murder a slave with malice prepense. This had afterwards been construed into murdering a slave without any provocation. So that by that construction the most trifling provocation on the part of a slave, even an angry word or a look, would be held a sufficient justification of his murder. He also observed, that the conviction of a white man for the murder of a slave was a thing almost unknown in the colonies, although it was notorious that several such murders had been committed. He could mention to the House three cases of as flagrant murders of slaves, under circumstances as shocking as ever disgraced human nature, and these were committed in the presence of others, and in justification of them it was said that the persons murdered were only slaves. He did not mean to impute to any of his West India friends, any of those abuses which he had mentioned. He thought, on the contrary, that their presence on their West India property would preclude the occurrence of such disgraceful scenes. But while they were discharging their duties in this country, so much to its advantage and to their own credit, the care of those estates must necessarily be committed to others, and he did not hesitate to say, that the lower order of whites in the colonies were the grossest and basest rabble that ever deserved the name of human population. It was on this account that he wished to preserve the distinction between legislation and regulation. It was because he wished to tear off the film which covered the worst of crimes by which torture and murder were kept up under other names. It was because he wished to have some regulation of the property of West India proprietors, when that property was of the same nature with themselves, that he supported the motion of his hon. friend. He would agree on the part of his hon. friend (Mr. W.) to the amendment, provided it were not substituted for his motion.

Mr. *Canning* said, that if the learned gentleman who spoke last, expressed the sentiments of his hon. friend (Mr. Wilberforce), he (Mr. C.) should endeavour in vain to persuade him to accede to the amendment. But as he did not think the learned gentleman had well understood the amendment, he did not despair of inducing his hon. friend to adopt it. The sole desire of his hon. friend appeared to be, the opportunity of making a general statement of the question, and he had seen, in the main, a general coincidence in his principles; he also saw that the amendment was a measure substantively fit to be passed; and all now that remained to be considered was, whether he would weaken the effect of it, by submitting it to the conflict of parties, and either carry a nugatory motion, or press it to a division, in which he would be undoubtedly defeated. He declared himself a warm follower, and, as far as his abilities extended, an earnest supporter of his hon. friend's grand object of the abolition; he remembered how frequently they had been charged with having concealed emancipation under abolition; and to this remembrance he could add, that they had ever repelled that imputation. In the speech which the House had heard with so much satisfaction from the hon. gentleman who moved the amendment, he most admired his discretion in avoiding the question of imperial legislation. This was a question not to be anticipated, and the discretion exercised by the hon. member would save the colonial legislatures from the displeasure, and parliament from the pain of using it. Far be it from him to doubt the omnipotence of parliament, but he had always thought, as he still continued to think, that the question on the latter subject ought not to be stirred up, unless interference became absolutely necessary. When the necessity for such interference should be proved to exist, his voice would be fearlessly raised in its favour; but he would not anticipate the arrival of that period at which so painful an exertion would be imposed on the British parliament. He disapproved of the manner in which the colonial assemblies had been spoken of. If there was any idea of making use of them, it was not well that they should be treated with so much contempt. If such a thought had been entertained, so much pains ought not to have been taken to degrade them. It was an unwise preface to an attempt to induce them to carry into effect the wishes of that House, to tell them, "We distrust your motives, we have no confidence in your ability, and we suspect your honesty. This might be said of the colonial assemblies when they had been tried, and when it was found they deserved such language; but at present it was as unwise, as it was inequitable. He could easily conceive a man might stand up in the assembly of Jamaica, and ridicule our laws for the punishment of homicide, with as much effect as the law of Barbadoes had been ridiculed by the hon. and learned gentleman. He thought the colonial assembly had no intention to evade the enactment of a law against surrendering a slave; it was as idle for us to object to their enactment, because it was not precisely similar to our own, as it would be for them to say that our indictments were faulty, because it could not be proved that a man was instigated by the devil. Killing from bloodymindedness, without provocation, might mean as much as the words "moved by the instigation of the devil;" and be not less efficient to punish that crime, an abhorrence of which was not confined to Europe or to America, to one country or to another, but was known in every land and in every climate to be implanted by God and Nature in the human mind. The objection seemed of a special pleading nature. He did not say the late disturbances in the West Indies had been caused by the registry bill, but he could not think, as a penal visitation, that it ought to be resorted to. From all the information he had been able to obtain, he did not believe an illicit traffic in slaves had been carried on in Jamaica. He could not therefore consent to punish a crime, which he did not believe to have been committed, though he could approve of the provisions which the bill contained for preventing an illicit traffic, and for ameliorating the condition of the slave. He had known in some cases instances of obstinacy in the colonial assemblies, which left that House no choice but direct interference. Such conduct might now call for such an exertion on the part of the British parliament; but all that he pleaded for was, that time should be granted to see if the colonial assemblies would take upon themselves to do what that House was pleased to declare should be done. The present address could not be misunderstood. It told the colonial assemblies, "you are safe for the present from the interference of the British parliament, on the belief that, left to yourselves, you will do what is required of you." To hold this language was sufficient. The assemblies might be left to infer the consequences of refusal, and parliament might rest satisfied with the consciousness that they held in their hands the means of accomplishing that which they had purposed. He again recommended to his hon. friend the course which had been pointed out to him, confident that it would answer every purpose, and that conciliation would obtain for us all that could be desired, and save us from a crisis, of which, though he did not fear the danger, he deprecated the experiment.

Sir *Samuel Romilly* did not consider it to be of much importance, whether the address was voted, in the first instance, or the motion for papers was agreed to first, and the address afterwards. The right hon. gentleman who spoke last had stated, that the effect of external regulation by the parliament of this country, ought not to be resorted to, till we had tried whether the colonial assemblies would not remedy the evils themselves. But had they not been fully tried? When lord Seaforth was governor of Barbadoes, he had brought under his notice some crime that excited the highest indignation. The colonial assembly called the proposal to make it murder an insult upon them. A law had afterwards passed, but so worded as to make a conviction under it almost impossible: and the right hon. gentleman had justified it by asking, whether we had not in our indictments in this country, the words "seduced by the instigation of the devil," and whether it was ever required to be proved that the devil had come personally to instigate the man who had committed murder? The colonial assemblies instead of passing a law to prevent murder, had passed a law by which the most cruel punishment, extending to death, might be inflicted upon a negro for not going out of a room the instant his master ordered him, or for any the slightest provocation. If the murder was committed in any other way than out of mere wantonness, it was excused. As a lawyer, he maintained, that if a man was indicted for the murder of a negro under the colonial act, there was not the slightest provocation on the part of the deceased, that would not entitle the offender to be acquitted. Penal statutes were to be strictly considered; and it was necessary, to convict a person of murder under the colonial act, that there should be no provocation at all.

Mr. *A. C. Grant* said:—I confess, Sir, it was not without astonishment that I heard the speech of the learned member (Mr. Brougham). That he should represent himself, and the gentlemen with whom he acts upon colonial questions, as calumniated! And by whom does he complain that this has been done, but by that very body on which has been heaped calumny upon calumny, by the learned gentleman himself and his friends; but to which, stigmatized and calumniated as it has been, I, for one, am not ashamed to avow that I belong. I was surprised, too, to hear with what levity that learned gentleman mentioned those horrible events which have recently occurred in Barbadoes [Hear, hear! from Mr. Brougham as dissenting]. Most assuredly, Sir, the learned member did speak in very light terms of the insurrection; he asked "what, after all, was the extent of the evil, falsely attributed by us to the introduction of the registry bill last sessions, but a riot, quickly suppressed, in which some two or three estates suffered?" Now, Sir, it has been said that this revolt, as well as the danger that exists of similar ones in other islands, has been provoked solely by our opposition to the proposed registration, and the publicity with which we have organized it. Sir, the bill was introduced into this House, and printed at the close of the last session, for the express purpose of giving the colonists an opportunity of considering it. Well, they regarded its enactments as a violent infringement of their rights, and as fatally subversive of their security. What then remained for them to do, but to express their decided opinion, and to adopt every measure within their power to prevent its passing into law? An hon. gentleman (Mr. Wilberforce), has brought forward, in fearful array, every argument that could be devised, in support of his innovations against the colonists. Amongst the most plausible is certainly that which he drew from the evidence taken at the bar of this House whilst the great question of abolition was under agitation, in which many of the planters asserted that whatever regulations might be framed to prevent the importation of African slaves would be nugatory. But, Sir, it will be in the consideration of the House, that the very subsistence of these persons was entwined with the existence of the colonies; and, such being the case, I apprehend it was to be expected that no statement, well founded or fallacious, would be withheld, that could have the remotest tendency to discourage an interference with the system to which they had been so long accustomed, and of which interference the result to them might be injurious. I can assure the hon. gentleman, that now that it is ascertained that there was no cause for those alarms, and that the slave trade is abolished, the colonists not only acquiesce in, but are ready to concur heart and hand, with the British parliament, in giving full efficacy to this law of the empire.—The hon. member has laid great stress upon the statement he has drawn from the Jamaica slave returns, under the poll-tax for

1811. Sir, I was in that island in the years 1810 and 1811; and am prepared to declare, upon my honour, my full conviction, that not even a single negro, much less 16,000 as he contends, were introduced into it during that period. Such were my facilities of information, that I must have heard of an illicit importation, had such existed, besides which, I sedulously sought every means of ascertaining the fact. Indeed, one of the principal objects I had in view, that of increasing, by purchase, the number of slaves upon the properties in which I am interested, would have brought it within my cognizance. Sir, the mode of treating the slaves too, at least I can speak with reference to Jamaica, has been most unfairly represented. I am, to the full, as much an advocate for their moral improvement, and the increase of their comforts, as the hon. member. I do not say that much does not remain to be done; although, Sir, much has already been done towards ameliorating their situation. But really, gentlemen cannot form any idea of it, as it actually exists, from the false colouring with which it has been sketched within these walls. I can, with confidence, call upon all who have been eye-witnesses of their treatment, and I will direct my appeal to the gallant officers of either service, whose professional duties have ever sent them to that colony. Surely, Sir, it is no light circumstance, that the assiduously-spread misrepresentations of us proceeds from those who have never been upon the spot, while our vindication is unanimously undertaken by all who have been among us. It is impossible, Sir, to separate the Barbadoes insurrection, and the introduction of the registry bill. Yet the learned gentleman ridicules the idea of connecting them; triumphantly observing that my hon. friend has, in lieu of a body of evidence to establish his case, produced three letters, of which one, forsooth, was "from a right hon. speaker of a house of assembly of another island." Sir, I can tell him that my hon. friend's reluctance to intrude upon the patience of the House, alone prevented him from producing volumes of letters, all referring that lamentable event to the same cause. We have heard from the noble secretary, that the official information received by ministers coincides. But for the lateness of the hour, I would read to the House a letter which I now hold in my hand, written from Jamaica, not from an anonymous correspondent, or from one I will decline to name, satisfied as I am that every thing proceeding from the pen of Mr. John Shand, relative to the colonies, must have weight. The description he gives of the impression created on the minds of the negroes by this very bill, and the consequences to be dreaded, is truly frightful; and he says, that it is only by an unequivocal declaration that the parliament and government of Great Britain entertain no ideas of emancipation, and that they mean to leave the internal regulation of the colony to those by whom it had been so long conducted, that Jamaica has a chance of escaping destruction.—Much obloquy has been thrown upon the colonial assemblies: during the period I have before alluded to, I had the honour of being a member of that of Jamaica, and I should act an unmanly part were I to flinch from raising my voice, however humble a one, in its defence. Sir, I found it composed of gentlemen diverting for a certain portion of the year, their attention from their own more immediate concerns to those of the public (and that without possible individual advantage, for neither place nor pension are there attainable), with an alacrity and zeal equally creditable to themselves and beneficial to the colony. Among them, were those whose abilities, loyalty, and humanity too, romantic as it may appear to some hon. gentlemen, place them upon a par with any, however conspicuous for those virtues; and I can asure this House, that their mode of doing business would not be disparaged by a comparison with even its own.

Sir *J. Beresford* supported the address.

Mr. *Manning* said, that at that late hour of the night, his regard to the convenience of the House would preclude him from entering into a discussion on the question, which he considered to be of vital importance to the interests of the kingdom. He was desirous, however, to put the House in possession of the sentiments expressed in a letter addressed to himself, and which had come to his hands only a few hours before the debate began. It was written by a gentleman in a high legal situation in the West Indies. The letter was dated 4th May last:—"Pray tell Mr. Wilberforce," says the writer, "that until the negroes heard of the registry bill, and Mr. Stephen's book, which they call 'A Report of the African Society,' I slept with doors and windows open; but now, although under the guns of a fort, I have loaded pistols at the side of my bed every night. In short, the measure, whatever may be the result in England, has already done more to check the progressive improvement of the state of slavery, than the society can remedy in twenty years."

Mr. Wilberforce replied; after which Mr. Pallmer's address was agreed to *nem. con.* Mr. Wilberforce then produced again the motion he had withdrawn. It was agreed to; as was a motion from Mr. Canning for a copy of the report of the assembly of Jamaica.

HOUSE OF COMMONS.

Thursday, June 20.

GAS LIGHT BILL.] On the motion for the third reading of the bill,

Alderman *Atkins* thought, that if the bill passed, it would destroy the whole of the whale fishery. He therefore moved, that it be read a third time this day three months.

Lord *Cochrane* objected to the bill, which he contended would destroy the whale fishery trade. He also contended, that the gas company would be unable to fulfil the engagements they had made to the public.

Mr. *Holmes* defended the bill, and observed that a clause would be added by way of rider, which would oblige the company to present at particular times an account of the state of their funds.

No division took place, and the bill was read a third time.

PUBLIC REVENUES CONSOLIDATION BILL.] On the motion that the bill be read a third time,

Mr. *Bankes* objected, particularly to the clause enabling the vice-treasurer to sit in parliament. He should not go into the matter at length, but should concern himself chiefly with the clause B. It was not distinctly stated that the deputy to the vice-treasurer should be paid out of the public money. He did not desire any peculiarly strict provision, which might affect the case of sickness or infirmity on the part of the principal; but he objected to making that office a sinecure, and also to the charging on the public the expense of both principal and deputy. The opinion of the House had been shown so clearly, that he could not have expected a proposition to create a new sinecure office, by which the public were to pay the charge both of principal and deputy. He adverted to a resolution of the House in 1810, which was passed notwithstanding the objections of Mr. Perceval, after much discussion. Its tendency was, that all offices should be paid according to the value of the duties performed. In this new office there was in fact little or no responsibility. What possible reason could be assigned for a deputy to the vice-treasurer, unless the object was, to bring the principal away from his duties? The duty of the principal was solely to issue sums out of the exchequer of Ireland: and to that country, therefore, his services ought to be confined. His office was indeed purely ministerial. His business was in Ireland. Bring him here, and then, at perhaps the most important part of the year, his duties must be done by a deputy. As to the vice-treasurer's sitting in that House, it was a new thing to countenance the admission of an additional placeman whose duties had nothing to do with a seat in parliament, but, on the contrary, must be neglected by his sitting there. The hon. member then moved, to insert the words, "other than the deputy aforesaid." The effect of the amendment was to make the principal pay the deputy.

The *Chancellor of the Exchequer* said, that the question immediately before the House did not affect the question of the vice-treasurer's sitting in the House, but only the means of paying the deputy. The question was, whether the salary, now reduced to 2,000*l.* a-year, was to be farther charged with the expense of the deputy? The deputy might be allowed 1,000*l.* a-year; but that would fall under the discretion of the treasury. The office of deputy was only intended for necessary purposes in particular cases. The principal would be responsible for all the acts of his deputy. The office of vice-treasurer imposed important duties, and the appointment of a deputy would be of public service.

Mr. *Tierney* observed, that as this would be a sinecure during pleasure, it was less reasonable there should be a deputy. He begged the House to remember that they were not going to vote 1,000*l.* a-year for this deputy, but in reality whatever the treasury chose. If the House thought that the country should be burthened with 1,000*l.* a-year for the purpose of enabling this officer to sit in parliament, their vote would be accordingly. But this measure had brought ministers into great straits; for either they or the House must eventually be degraded, if it were persevered in.

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Lord *Castlereagh* said, that the vote of the House was not called for in so summary a manner as the right hon. gentleman represented. Ministers had considered it necessary to the well-being of Ireland, and had not called for it simply on account of the salary of the office: they thought that this office should not deprive the House of the aid of a most efficient member, or reduce the benefit to be derived from him to the more mechanical duties of his office. It would be a prejudice to the public service, and to the government of Ireland, if there were no individual of official rank in that country to aid his majesty's ministers. The right hon. gentleman prided himself while holding an office, because he did not embarrass his deputy: but as he was in the practice of joining his assistance in parliament to the duties of his office, the opposition to a deputy in the present instance came with a very bad grace from him. As to the deputy's salary, it could no where be found that an officer such as the present ever paid his own deputy. At present there appeared to be only the question of the deputy; but that mixed itself with the other, namely, whether an officer with this salary should have a seat in the House or no? for if the deputy were denied, it disposed of the question concerning the seat, as no one could deem it worth his while to pay the deputy out of 2,000*l.* a-year, and attend to his duties in parliament. He begged the House to consider that Ireland maintained a separate executive government: and while the government was separate, it ought to have an adequate representative in that House. He contended that this was no creation of office, but a modification only, and a diminution of expense: it was in fact a measure of public economy. Eight offices compatible with parliamentary duty would be reduced to three. By the union, Ireland was allowed to have twenty placemen in the House; and now, instead of twenty, there would not be more than seven. The faculty of appointing a deputy was essential to the office; and he did hope that the measure, so far from being considered an encroachment on parliament, would rather be deemed an encroachment on the Crown. If refused it would tend to break down the Irish government in that House altogether.

Mr. *Stuart Wortley* agreed, that it would be of service to the Irish government, that the vice-treasurer should sit in that House, but he conceived that to oblige this officer to pay his deputy, would not exclude him from the House.

Mr. *J. W. Ward* said, it was the duty of the House to be vigilant to prevent an increase of public expenditure, or of the influence of the Crown. But in the present case, he thought the jealousy which had been shown was unfounded. He however respected that jealousy, as it well became the House, which was the chief guardian of public independence, and the only guardian of the public purse. He should attempt to prove that the office created by the bill, did not take any money unnecessarily out of the pocket of the public, nor add any thing unnecessarily to the influence of the Crown. He was glad that an argument which had been used had been abandoned. It had been said that the salary of the office should be large, because it was an office of trust: the definition of an office of trust was, that the holder of it might cheat the public if he would. Now, in this sense the vice-treasurer did not hold an office of trust. The true and manly defence for the office was that of his noble friend, viz. that it was improper to make a further reduction in the official situations of Ireland which had seats in that House. He believed it was agreed on all hands, that some officers of the Crown should have seats in parliament. He should go further and say, that if it was necessary to choose between extremes, he should prefer to allow all officers of the Crown to sit in parliament, than to adopt a measure of general exclusion. A general admission of official persons would be a shock to the constitution, but we should still have the best government in the world; after a general exclusion of the officers of the Crown from that House, the government would not go on for a single day. One reason for the admission of the officers of the Crown was, to explain the measures of the government; but another reason was, to hold up some reward to honourable ambition. This was a principle which had been acted upon by the whig governments of England for near a century, and there was a peculiarity in the state of Ireland which rendered it improper to diminish the number of Irish officers in that House. This he thought was manifest from the increase of the wealth and population of Ireland, and particularly of the political population. By the extension of knowledge, the number of persons in that kingdom, who took an interest in politics had increased, and it was not proper to diminish the number of offices, which were open to them as Irishmen. He thought the bill before them had met a hard fate. An addition should have been made to the title of the bill—it should have been also termed "a bill for putting in practice economical reform, and abridging the influence of the Crown." Indeed, he doubted whether the administration which had been supported by the gentlemen opposite, though much entitled to respect, had done so much to diminish that influence by any one measure. The time might come, when, by the change of political circumstances, he might have to congratulate some gentlemen opposite to him, on the acceptance of the new office now under discussion,

> "Turno tempus erit magno, cum optaverit emptum,
> Intactum Pallanta, et cum spolia ista diemque
> Oderit."——

The enemies of the bill would then lament the reduction of the office, and feel sorry for the vote of Monday night; but he hoped they would not be induced to reform and regulate it—that was to say, after their own ideas of reform—by making the possession of it compatible with another office which it was intended to control. As to the influence of the Crown, he thought it a fair subject for a general inquiry and regulation, and not for partial attack and skirmish. He should conclude by giving the clause his unhesitating and sincere vote, a vote unhesitating because sincere, and of which he was as little ashamed, as any enemies of the measure were of their opposition.

Mr. *Lamb* said, that though he agreed in some of the general principles laid down by his hon. friend, he did not agree in their application, but if he had confined himself to those fair and serious arguments, he should have had little to object to him; but he had indulged himself in sarcasms against an administration with which he (Mr. Ward) had always acted. Among other topics of ridicule, he had attacked the measure which enabled the auditor of the exchequer to hold the office of first lord of the treasury. When that measure was before the House, his hon. friend had not then found any of those objections, or been illuminated by any of those lights, with which the new company he had kept seemed now to have furnished him. He congratulated his hon. friend on the change which had been wrought, and hoped it would prove beneficial to the country, and to his own character.

Mr. *Ward* explained, that his opinion of the administration alluded to had not changed. As to the particular measure alluded to he had not been in town when it was proposed.

The House divided: for the amendment, 111: against it, 149; majority 38. The bill was then read a third time and passed.

EDUCATION OF THE POOR OF THE METROPOLIS.] Mr. *Brougham*, on presenting the report of the select committee appointed to inquire into the Education of the Lower Orders in the Metropolis, communicated to the House an abridged view of the information which was laid more fully on the table of the House. Many facts had been learned by the prosecution of the committee's labours, which had sat several hours a day, and had exerted its powers with much activity. These facts were important in themselves; and while they showed the state of the poor with regard to education, the sums contributed for the purpose of promoting it, and the prejudices that existed on the subject of the application of these funds, evinced the necessity of some change, and led to useful suggestions. There were no less than 120,000 children without the means of education. This deficiency was not confined to children of one description of people or another, but extended to all sects and all descriptions of persons in the lower orders. It was found upon examination, that though the poor were in general anxious for education, yet in some cases they objected to send their children to school, for the purpose of letting them out to common beggars. From 2,000 to 4,000 were in this situation; and out of this number came most of those juvenile depredators who swelled the calendar of Newgate. In such cases forcible interference between the parent and child, whose morals the parent was corrupting, might be resorted to. He now came to the state of education in the metropolis, and the remedy proposed for its defects. There being about 120,000 children in London wholly without the means of education, it became the House to consider if they would allow this state of things to continue or would take some measures for its correction. In the mean time they would find in the examinations of the committee much useful information. It had inquired into all the charity-schools, parish schools, subscription schools, Sunday schools, &c. established for the lower orders in the metropolis. But the committee had not rested here. They had gone higher, and conceiving, though the commission under which they acted did not necessarily lead them to any inquiries concerning the management of the higher schools, yet that it authorized them to include these schools at their discretion; and conceiving likewise that some reports that had gone abroad concerning them required either to be confirmed or disproved, they called before them the officers and heads of the Charter-house, Christ's hospital, Westminster, &c. and had examined them accordingly. To begin with Christ's hospital, which was the largest establishment, he would state a few facts concerning it. The annual income of that establishment was 44,000*l.*, and the expenditure was nearly as great. These funds were employed in boarding, clothing, masters' salaries, &c. in apprenticing some, in sending others to the navy, and in establishing some scholarships at the university. By the original rules of this institution, it was destined for the education of the children of the lower orders only; and it had been complained of, that persons not requiring charitable assistance had been admitted, to the exclusion of others who did. The committee had examined eight cases in which this departure from the laws of the establishment was said to have taken place. Five of these they had found to be perfectly groundless; and as only three remained with suspicious or unexplained circumstances, they thought it surprising that in so great an establishment there should have been so few apparent abuses. The Charter-house had revenues of 24,000*l.*, and its expenditure was nearly as large. Though by its original institution the poorer classes were alone admissible, this rule was not observed. He did not mean to state that the parents of the children on the foundation were rich, although they belonged not to that class of society that was called the poorer order. They were generally the sons of gentlemen of respectable rank, but small incomes. The king's scholars at Westminster were on a similar foundation. The boys might be either of the richer or poorer classes; but here there was a vast improvement introduced into the rules of admission. Boys were placed on the foundation, not from any regard to the circumstances of their relatives, but from respect to their own merits. As to St. Paul's, the salaries of this establishment were good, and the funds were large, being 6,000*l.* a year. The complement of boys was limited to 152, from some whimsical regard to a text of scripture that described a draught of fishes in a net as amounting to that number. He had stated thus much with regard to these establishments, to correct a report that had gone abroad, that the poor were excluded from any participation in funds that were originally destined for their use. But the principal part of the labours of the committee consisted in their examination of evidence as to the number and condition of the charity and parish schools destined for the education of the lower orders. The number of such institutions exceeded any thing that could have been previously believed, and was highly creditable to the benevolence of the country. Even at a season of general distress, the funds derived from contributions for the great end of education had been found undiminished; but the committee was forced often to acknowledge and lament that the expenditure of these funds had neither been so pure nor so judicious as the intentions of the contributors were laudable and fervent. Instead of being employed in educating great numbers with the great sums raised, those who managed expended them, in boarding, clothing, and bringing up a few, leaving the rest totally without the means of education. There could not be a greater mistake than to suppose that a certain sum could be more beneficially expended in supporting a small number, than in educating a great number who could not otherwise obtain the means of instruction; but he was afraid there could be no remedy expected from legislative interference, as these funds were managed by trustees who objected to any change. Circulars had been sent to the heads of schools to the amount of between 80 and 90; and, from the information collected, it appeared that 18,000*l.* distributed among a certain number of charitable establishments, only educated 3,000 children, including clothes, &c.; whereas upon the new plan this sum would be sufficient for educating 30,000. The objection to a change which thus might be effected arose, not from the contributors, but the trustees of these charities, who had an interest in the continuance of the present system.—There was another class of schools which might be regulated by parliament—he meant establishments created by public charitable donations. He mentioned several instances of abuse in charities left for the general purposes of education. No instances of flagrant abuse occurred in London; but he had received many communications on the subject from different parts of the country. He stated one flagrant case where 1,500*l.* which was left for the endowment of a school, was managed by the lord of the manor, who appointed his own brother schoolmaster with a large salary, while he again shifted the duties to a deputy schoolmaster, in the person of a joiner, with the small income of 40*l.* a year, and left this ignorant person to educate the children. By various accounts he had received, 70,000*l.* might be stated as the sum to which the charities he alluded to might amount in all; and there was every reason to believe that little benefit was now derived from them in administering the blessings of education. This deserved inquiry. Abuses were known, but they were not properly denounced. It became a question how this could be done, and information obtained. A committee above stairs was inadequate for the task, as it could not examine on oath; and as it would be impossible, or very expensive to call up persons from all parts of the country to give evidence, the only remedy was, to appoint a commission with power to go from place to place, and examine witnesses upon the spot. More money would be saved to the country, or dedicated to its most important interests—education, than would be expended by such a commission. He had no desire to create new places, or to aggravate the public burthens, but he would propose that this commission should be paid for its labours, as the only means of ensuring its activity, and bringing it under the control of the House. The business required dispatch, and dispatch or diligence could not be enforced upon gratuitous commissioners. The Irish committee of inquiry into the courts of justice had sat for 14 years; and though they had made some able reports, such delay would not suit the present case. Lord St. Vincent's commission was paid, and had been extremely useful. With all the love of sinecures manifested by ministers, they could not make this a sinecure. The country would probably require no grants from parliament for the purpose of advancing education, but it was the opinion of the committee that the metropolis would. Assistance, however, should not be communicated as an annual grant, but merely in aid of private charity, to build schools, to prepare rooms, &c. Another difficulty was the steering clear of religious differences, which were daily subsiding. An emulation in well-doing, rather than a contention for superiority, might be expected.

Lord *Castlereagh* complimented the learned gentleman on having devoted so much of his valuable time to the laudable objects of the report. There could be little doubt that abuses existed in many of the charities for the purposes of education: and hence the necessity for the exercise of a vigilant superintendence of their administration from time to time. He thought there would be no great difficulty in the next session of appointing a committee for examining into the administration of the charities of the country.

Mr. *Rose* was convinced that the labours of the committee would prove highly useful.

Mr. *Peel* alluded to what had been done in Ireland by the commission there appointed. That commission had delivered in 13 reports; and in 1813 a bill was brought in, founded on these reports, by which a variety of the grossest abuses had been remedied, and he had no doubt that the effect would be highly beneficial to the rising generation of Ireland.

Mr. *Wrottesley* said, that while engaged in framing the charitable donation bill, he had received a variety of letters from respectable clergymen in different parts of the country, stating abuses which, to their knowledge, existed in charitable foundations for education.

Mr. *Wilberforce* begged leave to suggest, whether the process of inquiry might not be beneficially set on foot immediately, without waiting till the next session.

Mr. *Canning* was desirous of expressing the satisfaction he derived from the able and candid speech of the learned mover: but what he rose for chiefly was, to advert to the suggestion that had fallen from his hon. friend. Some alarm had been excited by the committee extending their inquiries to the great public establishments for education: he, for one, had in some degree participated in that alarm; but he was agreeably disappointed by the statement of the learned gentleman, which had entirely removed it. But out of that very alarm grew a wish, that the report should be widely circulated, and the minds of people familiarized with the evidence, before any proceeding was had by the House. He should contribute all his assistance to the object of the report, satisfied that the foundation of good order in society was good morals, and that the foundation of good morals was education.

After some further observations from Mr. W. Smith, general Thornton, Mr. Babington, and Mr. Brougham, the report was ordered to lie on the table, and to be printed. Mr. Brougham then gave notice, that early in the next session, he should bring the matter of the report before the House.

HOUSE OF LORDS.

Friday, June 21.

PROTEST AGAINST THE SILVER COINAGE BILL.] The Silver Coinage bill was read a third time. After which the earl of Lauderdale entered the following Protest upon the Journals:

"Dissentient,

1st, "Because the bill which has now been read a third time, sanctions a plan for the future regulation of the metallic currency of this country, founded on very erroneous views of that important subject. Gold coin, according to this new system, is to be the only money in which a legal tender can be made for any sum exceeding 42*s.*; and thus, in contempt of the opinion of Mr. Locke, sir William Petty, Mr. Harris, and of almost every other respectable authority, the coin made of that metal is constituted the measure of value, and the means of conducting all exchanges throughout the empire.

2ndly. "Because no reasonable ground has been assigned in debate for this preference of gold as the material of money. It has indeed been stated: 1st. That gold, as of superior value, is the proper measure of value for this opulent country; whilst silver, as of inferior value, is the more proper measure of value for a poor country. 2nd. That gold is less variable in its value from day to day, and therefore fitter for the material of money. 3d. That the prevalence of gold in circulation, during the last century, proves the natural inclination of the people in the state of society in which we exist, for that species of money.—To me however, it appears—1st. That to argue that the increased wealth of a country requires a measure of value formed of a more valuable material, is as absurd as it would be to state, that, in proportion as our manufacture of cloth is increased, the dimensions of our yard ought to be extended. 2nd. That in this country, where gold, from our mint regulations, has been for some time past practically the measure of value, and silver the thing to be measured, gold must have had the appearance of sustaining more rapid variations in value than silver, just as in France, where silver being the measure of value, and gold the thing to be measured, gold appears more variable in its value than silver; and that there is therefore no real ground for preferring gold to silver, as less variable in its value from day to day. 3d. That to ascribe the prevalence of gold coin to its being more acceptable to the people, is in itself ridiculous. Men have no preferences upon these subjects, but what are dictated by views of interest; and the history of our mint regulations discloses, that in the year 1717, when the relative value of gold and silver coin was last settled by proclamation, sir Isaac Newton predicted, that the denominative value of the gold, in proportion to its intrinsic or marketable value, being greater than that of the silver coin, it was impossible the latter could remain in circulation —an opinion which is proved to be true by the experience of what we have since seen; for all the lawful silver coin has, for more than half a century, disappeared and the people have had no opportunity of selection, there existing nothing but gold coin, in which a legal tender could be made.

3rdly. "Because I am of opinion, that there are many advantages which concur to recommend perseverance in the ancient regulations of the mint of this country, which regarded silver as the proper material of the coin to be by law constituted the measure of value, and the means of making legal tenders of payment. 1st. Silver coin is harder, and less subject to wear, than gold coin; therefore better qualified for the general currency of the country. 2nd. There is less temptation, by mechanical or chemical operations, fraudulently to diminish its value; for the profit to be made by abstracting a grain from the weight of a coin of gold, must be fifteen times the amount of what can arise from a similar fraud with respect to silver coin. 3rd. It is certain that the only means of securing the purity of all the coin in circulation is, to adopt silver coin as the measure of value, and the sole legal tender of payment. In this country, where gold, from the regulations of our mint, has long been, in fact, the measure of value; it does not require reasoning to prove, that if gold is the measure of value, silver coin, however debased, will circulate to mark the fractional parts of that gold coin, purely on the principle of convenience: for it was stated in evidence before the bullion committee, that, on this principle, even a premium was given for 100*l.* of silver coin, the purchaser of which knew that its intrinsic value was not 60*l.* But, if silver was the measure of value, bad gold could never circulate from matter of convenience; for it is obvious that no motive can be assigned which could induce any man to give 101*l.* for one hundred pounds worth of gold coin, not intrinsically worth 60*l.* If then silver coin was adopted as the measure of value, the law would secure the purity of that coin which exclusively formed a legal tender, whilst the interests of individuals, and the circumstance of its being allowed to take its value in circulation would sufficiently secure the purity of our gold coin. 4th. By rejecting silver coin as a measure of value, you at once deprive this great mercantile country of the possibility of having a par of exchange with any part of Europe, where, generally speaking, silver coin is exclusively the measure of value: for if gold coin is to be the legal tender in this country, whilst silver is a legal tender in others, the par of exchange must depend not only on the balance of remittances, but must be subject to the daily fluctuations arising from the variations in the value of these several metals.

4thly. Because in the present moment of our financial distress and of the sufferings of the people from excessive taxation, the conduct of government in undertaking a measure, which must involve the treasury in a great expense, and inflict, even on the lowest and poorest orders of the impoverished people of this country a grievous burthen, appears unaccountable: yet these cannot fail to be consequences of now decrying and throwing out of circulation the coin which parliament has so long suffered to remain in circulation.

5thly. " Because, under these circumstances, I must be of opinion, that, even if the success of this measure was certain, and the projected coin sure of remaining in circulation, it would have been prudent and advisable to delay the undertaking, till the agricultural and manufacturing interests of the country were better able to sustain the burthen to which they must be subjected by this reform in the system of our coinage:—and I cannot find terms sufficiently strong to express my sense of the criminal rashness of hastily adopting such a project, at a time, when both authority and reason combine to enforce the opinion, that the new coin cannot remain in circulation; and that, after the vexatious suffering to which the people must be exposed, the attempt will prove abortive. From authority we learn —" That no system of coinage can be adopted with any prospect of permanent advantage, till some regulations have been made for remedying the evils resulting from the present state of paper currency:" —and yet this arrangement is brought forward at a time, when parliament has been persuaded to continue for two years that unfortunate system of paper currency, which is described by the late earl of Liverpool, in the foregoing extract from his letter to the King on the coins of the realm, as likely to render any regulations of our coin of no permanent advantage.— By reason and experience we are taught, that two coins of the same metal, varying, even in a small degree, in the proportion betwixt their real and denominative value, cannot remain in circulation together—as that which possesses the greatest real value must always be withdrawn from circulation;—yet it is now intended to throw into circulation this new silver coin, of which 5*s.* 6*d.* is to be made out of an ounce of silver, with tokens of the bank of England, of which 6*s.* 8*d.* is fabricated out of the ounce of silver; and with tokens of the bank of Ireland, of which 7*s.* 3*d.* is coined out of one ounce of silver;—and that without any provision to impede these banks from continuing to fabricate and issue these tokens to any amount.—Again, by reason and experience we are taught, that, if coin of different metals is thrown into circulation, varying in the proportion betwixt their real and denominative value,—that which is of greatest value has always disappeared;—thus, in the course of the last century, twenty-one shillings of lawful silver coin being of intrinsic or market value nearly 4*d.* more than a guinea—we know that all lawful silver money vanished from circulation:—and yet it is now expected that our gold coin will remain in circulation, though a guinea will, under this new plan, possess considerably more real value than twenty-one shillings of our new silver coin.

Lastly. "By reason and experience we are taught, that an over-issue of paper money, by depreciating the paper, raises the market price of the metals of which coin is formed, to a degree, that makes it profitable to withdraw them from circulation;—and that, when this is the case, coin has uniformly disappeared. Yet the projectors of this plan think it safe to put the nation to a great expense, and to impose great burthens on the people, when they know, that they have made it necessary for the bank of England to extend its circulation by the sums they have borrowed from that establishment;—and when they must be aware, that it is in the power of the banks of England and of Ireland of 642 different banking establishments in England, and of numerous co-partnerships in Scotland and Ireland to extend their issues of paper to any degree, which a consideration of their own interests may sanction; and thus to render abortive this new system for which the people of this country will have paid so severely.

LAUDERDALE."

ROMAN CATHOLIC QUESTION.] The order of the day being read.

The Earl of *Donoughmore* rose, and said, it was necessary for him, before he proceeded with the subject to which he was about to call the attention of their lordships, to anticipate an objection that would undoubtedly be made from the other side namely, the time of his bringing forward the discussion of this question. He must therefore remind their lordships, that he did not mean to call on that House for any substantive decision on the claims of the Catholics, during the present session. He would only call their attention to the petitions on their table, so far as to bring their lordships to decide, that their subject matter should be taken into as speedy a consideration as possible. He meant to propose to their lordships to resolve—

"That at the termination of a long and arduous contest, glorious beyond any former example to the British nation, and effectuated by the concurrent energies of all denominations of men in this United Kingdom, it has become the bounden duty of parliament to endeavour by a confiding policy, and measures of just conciliation, to bind together, in grateful loyalty to the king, and assured attachment to each other, our fellow-subjects, of whatever religious persuasion, of whatever class or degree. And the public business having arrived already too nearly to its conclusion, to afford the hope of any satisfactory adjustment upon a subject of such importance and extent during the continuance of the present session—that this House will accordingly in the next session of parliament, take into its early and serious consideration those disabling statutes, which still continue to press upon his majesty's Roman Catholic subjects of Great Britain and Ireland—and whether the restoring to them, on wise and equitable principles, towards themselves and others, their constitutional capacities, would not be to them an act of merited justice, and afford to the preservation and support of all our present establishments, an additional assurance of the greatest possible value—by giving an equal interest in the enjoyment of all its rights and privileges to every loyal member of the state."

Was there, he would ask, any part of this great question which rendered it unfit to be considered at present? Was not the situation of the Roman Catholics such as demanded inquiry? Could any thing exceed the glorious termination of the late contest? Could any thing exceed the high and commanding position in which this country had been placed? Could any thing exceed not only what they owed to the great general under whose auspices so much glory had been achieved, but to those who had been the gallant, though humble instruments of achieving it? No; those brave soldiers, who toiled through the fatiguing march of war, ought to receive a just recompense in a period of peace. The blood of men of all religious persuasions had flowed in defence of the common interest—and, was it reasonable, was it just, that any portion of them should be excluded from the exercise of constitutional rights? If, at former periods the Roman Catholics had been guilty of misdeeds, those of the present day had fully earned their pardon. By the loyalty they had manifested throughout the war, they had more than earned all that could be granted to them. He did not ask of their lordships to remove the disabilities of the Irish Catholics, without due examination. What he requested was, that, having fully considered their claims—the services they had done the state—and the general tenour of their conduct—they should be restored to their privileges. He did not think the House should come to a decision now, but that they should adopt the line of conduct he now recommended, at the begining of the next session. Infinite pleasure would it give to him, if, in consequence of the decision of that night, he should be enabled to say to his Catholic brethren, that they had been adopted by the legislature of their country—that their cause had been taken up—that their grievances were no longer deemed unworthy of notice — and that parliament had pledged itself to examine them minutely. Now, it was extremely satisfactory to know, that a noble earl (Liverpool) who had constantly opposed the removal of the existing restraints on the Roman Catholics had thought it necessary to protest, in an authentic communication, of which the public were in possession—that it was not his opinion, that no measure of relief was to be extended to that body. The noble earl said on the contrary, that he could conceive circumstances, under which a relaxation and alteration of the penal code might be necessary. It would be very satisfactory, previous to their lordships inquiry on this subject, if the noble earl would state to their lordships what the circumstances were, under which, in his opinion, the repeal of some of those laws would be not only desirable but necessary. It would be also satisfactory to know how far the noble earl would go in his alterations. He felt great respect for him individually — and the manner in which he had always conducted himself, with respect to this question, was entitled to great praise for temper and moderation. With respect to the English Catholics, no person could doubt the extent of the alterations that would be made in the laws so far as that respectable body of individuals were concerned. The noble earl would at once say, that they ought to be put in the same situation as that in which their Catholic brethren in Ireland were placed. Certainly a more deserving body of men did not exist; and he conceived it would be proposed, that they should be placed in the same situation now, in which the Irish Roman Catholics had stood since the year 1793. The noble earl had not, probably, hitherto proposed this, because he wished, like a statesman, to take up the whole subject at once, and then say, "Thus far I will go, and no farther."

Here he begged leave to express a hope, that the Catholic petitions would be soon taken out of his hands—that they would be taken up by his majesty's government. It was a cause of too much importance to be bandied about as a party question. It had not been so treated by noble lords on his side of the House, nor by many noble personages connected with administration—but others had certainly so considered it. He was most anxious that some of his majesty's ministers should take the question under their care; and that they would, after a full and fair consideration, place the Catholics in that position in which they ought to be placed. The noble earl had stated, as reasons for not entering on the question at this particular period, two or three grounds. The first of these was—that he objected to take up any thing connected with this subject, as a claim of right. He, or the noble earl might, in the course of debate, term it a claim of right, but the petitioners had not done so. Two other objections were, the present state of Europe, and the temper of the Catholic mind. Now, as to the state of Europe, no objection could fairly be offered on that head. As to the objection drawn from the perturbed state of the Catholic mind, it could not now be advanced. The Catholic mind was no longer inflamed—and the petitioners had approached their lordships with the greatest possible respect. And it should not be forgotten, that the illustrious personage, who at present discharged the functions of head of the state, previous to his being entrusted with those great powers, so far from feeling any hostility to the Catholic claims, had expressed himself decidedly favourable to them. The temper of the Catholic body, fairly considered, could not raise any objection in the mind of the noble earl. The petition of that body, which had, on former occasions, been rather violent and extravagant in expression was, in this instance, limited to the smallest number of words. It shortly stated, that they were deprived of constitutional privileges—and it prayed for relief. The Roman Catholics had petitioned from all parts of Ireland. They had petitioned by counties—a large body had petitioned, who spoke the united sense of the Catholics of Ireland—a most respectable meeting of noblemen and gentlemen, which had taken place at lord Trimleston's house, had also petitioned—and lastly, the Roman Catholic clergy, with the Catholic bishops at their head, had come forward with such an address as was every way worthy of their character. He had read the petitions over and over again—and he would aver, that they contained nothing with which any man could find fault. If any attempts were made to excite the Catholic mind, in a certain quarter, they had failed to effect the purpose intended. But, fortunately, those who made the effort, if any, were few in number, though certainly not devoid of talent and energy of mind. No irritating language had recently been used, except in one Catholic paper. It was the work of a very few individuals, who had presumed to set themselves up as directors and conductors of the whole Catholic feeling of Ireland. By their proceedings, they had driven from the Catholic meetings lord Fingal, and many other men of the same description. They had made it necessary for those noblemen and gentlemen to associate by themselves, and to petition in form. That petition he had presented, and it was now before their lordships. The violence and scurrility of the paper to which he had alluded, knew no bounds. The Roman Catholic noblemen and gentlemen had no right particularly to complain. The majority of both Houses of Parliament was censured, along with the principal members of the Catholic body, in the grossest manner. But the greatest virulence of their slander had been pointed against himself, the oldest living advocate they had, with the exception of a noble baron, his brother. That paper was conducted in the most disgraceful manner. It had stigmatised the Irish government—it had stigmatised the judges of the land—it had stigmatised the juries in the county where he had resided. Why was this done? Because all those parties had endeavoured to hunt out the murderers of one of the most respectable magistrates that ever was in the commission of the peace. The author of those libels was now placed where he ought to be, in safe custody, in one of his majesty's prisons. Inflammatory writings were, however, still published. The registered printer and proprietor continued to be no ornament to that learned profession, of which he was a member.

He now came to the grievances of which the Roman Catholics complained. Was it necessary for him again to go over that catalogue of disabilities which he had so often stated? It would be sufficient to say, that the Catholics complained of being deprived of important constitutional privileges, aud they desired that an inquiry might take place with respect to their situation. They desired their accusers to come forward, and state for what crimes they were thus put out of the pale of the constitution. All he requested on their part was, to suffer their petitions to be fairly discussed, and then for their lordships to come to a serious consideration how far they would go in the repeal of those laws, which appeared to him to be an intolerable grievance. It would, however, be necessary for him to say something as to the feeling which those grievances excited—because it had been conceived, he knew not why, that, as the Catholics had not all joined in one petition, there was, therefore, great disagreement amongst them, on the subject of their own interests. That this might be the case, with reference to a few, he could not deny. They had taken the sole arrangement on themselves, and turned out of doors, if he might use the expression, men of great worth and integrity. But, though a difference might exist on minor points, they all agreed in the propriety of removing those disabilities. There were, on their lordships' table, petitions from all the Catholics of Ireland, concurring in that object. "We are," said they, "labouring under great disabilities—restore us to our proper rank in the state." It had been said, that the Catholics did not agree among themselves. But it would be difficult for any noble lord to prove this position. The petition of the Catholics at large stated nothing on the subject of securities. It complained of constitutional rights withheld, and concluded with a short and respectful prayer for their restoration. This petition, therefore, was not in contradiction to the sentiments of any body of men who asked for a restoration of their privileges, let their language be what it might. The Catholics here mentioned no terms whatever—they stated their grievances at large, and also stated, at large, the mode of redress. The next was, the petition of those who met at lord Trimleston's house. The petitioners set forth their disabilities—they prayed for a restoration of privileges—and they expressed their readiness to agree to such terms, as, consistently with the discipline of their church, might be proposed to them. They also stated their opinion, that such an arrangement might easily be devised. The clergy, in their petition set forth their grievances, and requested redress. So far from putting their negative on securities, they actually offered to the House a specific security, which they called domestic nomination.

Now, with respect to securities, his opinions were too well known to render it necessary for him to say much on the subject. In 1793 he was perfectly satisfied that the Catholics had given all the securities which, in their consciences they could give. He asked for no other securities at that time; and he was then prepared to grant them all they demanded, under the securities given by the act of 1793. Therefore, with respect to securities, he was not looking after any. But he was of opinion, where a great national act was to be performed, and one of the parties connected with it was only a body in the state, however respectable, while the other was the governing power in that state, that then there ought to be concession on both sides. He again repeated, that he wanted no securities: at the same time he must candidly state, that there could be no substantial emancipation without them. But, as he conceived, this domestic nomination was the very point which it was necessary to consider. This offer of the bishops would be looked on by the House, when the subject came under consideration, as a substantial benefit obtained on the occasion. What was this domestic nomination? It was the most effectual mode of removing that bug-bear, foreign influence. Nothing stronger could be imagined, without destroying the Catholic religion. The bishops stated that they had no doubt of obtaining the consent of the spiritual head of their church to the arrangement. The pope, they were sure, would bind himself to approve of whatever bishops were elected by the Roman Catholic clergy of the united kingdom. This was all that was or could be wanted. It was quite sufficient security for what he proposed. But, in addition to this, it was intended that a new oath should be taken at the time of election, binding the bishops not to nominate any person of whose loyalty they were not convinced. This plan did away all the objection founded on the fear of foreign influence. With respect to the veto, he had objected to it as a most impolitic measure. He had before stated his opinion of the Roman Catholic clergy of Ireland.—How very useful he had found them in assisting him, as a magistrate, to enforce the law. He felt a very great respect for all the bishops, who were a pious and enlightened set of men. When their loyalty was so pure and untainted, he could never think of recommending the veto: but he called the serious attention of their lordships to the subject of domestic nomination—to that which would remove every objection that could possibly be made against the Catholic church in Ireland. He hoped the favourable moment would be seized by ministers for setting this question at rest for ever. The noble earl then made a few observations on the fallacy of supposing that the constitution could be endangered by the admission of a few Roman Catholics to seats in parliament, and concluded by moving the resolution which he had read to their lordships.

The Earl of *Longford* opposed the motion, on the ground of its being improper to fetter the discretion of the House by any such resolution. He would ask what purpose it could serve? Could their lordships doubt their own steadiness so far as to require such a pledge? Could they conceive that by such a pledge they would conciliate the minds of the parties who were the petitioners? These persons were no fools; some of them might be knaves, but they were no fools, and they would think the pledge merely a tub thrown out to amuse them. With respect to the petitions, the first was that which was signed by the meeting at lord Trimleston's, which was highly creditable to those who signed it, and must be gratifying to the House. But still these petitioners, however respectable, formed only a very small part of the Catholic body; and when some of them, notwithstanding all their claims and merits, attended at other Catholic meetings, they were received in a manner highly disgraceful and insulting. The second petition came from a more numerous body of the Catholics, and was worded in such a general way, that it contained nothing objectionable. But if we could not find their precise ideas in their petitions, we might fairly look for them in their conduct and speeches; and then ask ourselves whether they were men of that moderation and temper, that we should wish to introduce them into our legislature. As to the petition of the bishops, he felt some delicacy in speaking of it, because the Catholic clergy, generally speaking, were entitled to high respect! but, judging from their petition, the bishops seemed quite absorbed by the wish to obtain additional privileges for their body. They denied a veto to the Crown, but were willing to impose it on the deliberations of the legislature.

The Earl of *Aberdeen* conceived, that when petitions were couched in proper and moderate terms, it was unsuitable to their lordships' dignity not to treat them with the utmost respect. The petitions of the Catholics coming within that description, and relating to a question so highly important to the whole empire, ought to receive from their lordships the most attentive consideration. The noble earl who had just sat down, seemed to consider the motion as a proposed pledge on the part of their lordships to one another—as if they could not trust to themselves without it. It was not so. Whoever voted for the consideration of the subject in the next session of parliament, was of course ready to take the subject into consideration at the present moment, were it not for the state of the session. The pledge therefore was not to one another, but it was to the petitioners. It would be a most valuable concession on the part of their lordships, and one which it would well become them to give. He thought a very great change had taken place in the Catholic mind, which he considered their lordships were called to attend to. He had heard the usual cry of the church being in danger, but he was at a loss to perceive in what respects. Surely no man could entertain any rational idea of the Catholics making proselytes. The fact was, the danger existed in remaining as they now were. To go back to renew their disabilities they had already repealed, was what no man could dream of, for in truth it was impossible. No period could arrive more favourable to the cause than the present, when we were at peace with the whole world, after a most sanguinary conflict. The minds of the Catholics was also in a proper state for the consideration of their case. The leading powers of Europe had admitted persons of all religious persuasions, to a share in their councils, and in the offices of government, and he trusted that this country would show, that we were no longer marked with illiberality. It had been said that foreign policy would not do in this country. This he admitted, but he thought it was a cruel satire on the constitution, to say that liberality of sentiment, purely because it was adopted by foreigners, was not congenial to the government. With respect to the Scotch Catholics, he assured their lordships they were labouring under hardships of the most galling nature. In illustration of this, he referred to the case of a Catholic clergyman tried last summer, in Scotland, for marrying two persons. He was tried on an act of Charles 2nd, which punishes with transportation for life, and death in case of return from transportation, any Catholic clergyman convicted of marrying any parties. The charge being not proved, he of course escaped. Much had been done for our country by Catholic bravery, and it was extremely unjust to withhold from them a share in the privileges of that happy constitution, for which much of their blood had been shed. He concluded by supporting the motion.

Earl *Bathurst* said, that with respect to this particular motion, even if friendly to its object, he could not bring himself to agree to it. It went to bind the House, whatever circumstances might occur, to take up the question in the next session, and that, at the close of this session, when so many of their lordships were absent. Why, he asked, had it not been brought forward at an earlier period? The only reason he could assign for the delay was, that it was not thought advantageous to do so. But his noble friend had said, it was a pledge given to the Catholics. Now, did he mean to say that it was not a pledge by which the House also would bind itself? Their lordships should not in this way be deprived of their deliberative faculties; for in what situation should we be placed, if we felt ourselves bound by the adoption of this pledge to go into the consideration of the Catholic claims, even against the wish of the majority of the House? Before a pledge was made to any body of men, we should clearly understand what they conceived was meant by it. We should take care that the whole nature and extent of their claims should be understood; otherwise they might have reason to complain that we had grossly deceived them. Besides, what subject had been more frequently considered than that of the Catholic claims? It had been the subject of adjourned debates—a very rare practice of that House. It had been considered in a time of peace and in time of war, it had been taken up as a party question, and also as a matter of temperate discussion; some of the most splendid speeches ever delivered in that House had been made upon it, and therefore it had been so amply considered already as to require no pledge for farther consideration. How also could it give any satisfaction to the Catholics, unless it was understood by them as intended to produce some farther concession? It would be no satisfaction to them to understand that it merely meant we should have some farther debates on a subject so often discussed. Partial concession, their lordships had been lately told, would do no good, but rather harm. The idea of it was disclaimed by the petitioners, and disclaimed by their supporters; so that, by acceding to the resolution, we should in effect say, at this period of the session, that we were prepared to give all. The noble earl next adverted to the petitions before the House. The first of them—that from the meeting at lord Trimleston's—naturally suggested the consideration of the veto. A noble baron (lord Grenville) was, he believed, the first to suggest this measure in a letter which had appeared in public; but now he understood that the noble lord, as well as other supporters of it, had altered their opinions on this head. With regard to the Catholic clergy, he believed that they had proclaimed themselves entirely independent of the British Crown. In their petition, indeed, they proposed the measure of domestic nomination, but they had not contradicted their assertion that they were independent of the Crown. What, then, could the Catholics understand by this pledge, at a time when there prevailed so much mutual irritation and animosity among them? We should consider also the situation of the great body of the Protestants in Ireland, many of whom were active magistrates, and impressed with the idea that farther concessions would be fatal to their authority and ascendancy in Ireland. On all these grounds he felt it his duty to oppose the motion.

The Duke of *Sussex* said, he had heard no argument to dissuade him from voting in support of his noble friend's motion. Petitions had been presented in a respectful and constitutional manner to their lordships, which, from the lateness of the session, they were prevented from considering; and the question they had now to discuss was, what was the most prudent mode they could possibly adopt? The resolution went no farther than merely calling on their lordships to declare they would consider the case of the petitioners, next session. If their lordships would at once say that they would hear no petitions, then their conduct in giving no promise would be right; but if it was the birthright of British subjects to petition, then certainly the conduct which he and his friends adopted, in calling on their lordships to pay some attention to the petitions next session, was consistent. It had been said, that the discussion of the subject would occasion much uneasiness to the magistracy of Ireland. Religious disputes had been long known to be the cause of much dissension, and even of crime, in that country. Differences of religious tenets had even shielded murder itself from punishment; a particular proof of which lately happened, where the jury returned merely a verdict of manslaughter. He put it to their lordships, whether, in this enlightened age, those outposts which the exigencies of former ages had probably called for, should still be allowed to exist, whether in fact they were not disposed to adopt such a proceeding as would conciliate the affections of all parties? It was their duty to legislate with justice and impartiality, and if the parties refused to receive the boon which their lordships might give them, with them, not with the House lay the blame. By a decisive vote their lordships had adopted an alien bill, which severe as it would be on all aliens, would particularly be so on the foreign Catholic. He was the more anxious to have this subject discussed when he considered the unjust distinction it made in the rewards conferred by our country on those heroes who had fought her battles. Was it possible to suppose the Irish would not feel the severe mortification of seeing themselves excluded from the enjoyment of their hard won honours, merely on the ground of their religious opinions? The case of the English Catholics had, on a former night, been stated with so much eloquence and ability, by his much esteemed friend (earl Grey), that he should feel he was weakening the cause, did he attempt to add any thing to that luminous speech. But he besought the noble earl at the head of the executive government, to recollect that the objections he had formerly stated no longer existed. The country was now in a state of profound peace, and the spiritual head of the Catholic church was no longer under the control of that individual who had been removed from the continent. By agreeing to this resolution, their lordships gave no pledge of granting any concessions, but merely of taking the matter into serious consideration. This was a duty they were imperiously called to discharge, in justice to themselves and their oppressed fellow subjects.

Lord *Redesdale* urged the impolicy of so frequently bringing forward motions of this kind. It was a line of conduct he, for one, would strenuously oppose, as producing much agitation in the minds of the Irish, without doing them one single benefit. As a proof of the little value the clergy put on the law of the land when the interest of their church were concerned he stated a case which occurred while he was on the bench in Ireland. A Catholic clergyman was asked how he had the presumption to marry two minors (the female being only 14 years of age, and a ward of chancery) when they were both Protestants, and his conduct was contrary to law. He replied, " it may be your law, but it is not the law of my church." As long, therefore, as the Catholic clergy adhered to the doctrine of foreign ecclesiastical jurisdiction, he thought their lordships should be cautious how they proceeded. The case of the Netherlands was by no means applicable, as the Roman Catholic religion was the established religion of that country. In fact, the Irish Catholics were particularly distinguished from all other Catholics that he had heard or read of. If the friends of emancipation were so anxious to obtain their object, let them at once bring in a bill which would elucidate their views; but by calling on their lordships to pledge themselves to take the subject into consideration next session, they excited hopes which might be frustrated, and thus prepared the way for consequences which might be serious to the state. As long as the Catholic entertained so high an opinion of his church, and of its being independent of the British crown, he thought their lordships should not be too forward in granting the prayer of the petition. As to domestic nomination, what real control did that provide? None. It would, on the contrary, rather increase the power of the priests. If the Catholic laity of Ireland were left to themselves, he was sure there would be little difficulty in conciliating them upon that and every other subject. It was his firm opinion that all the disturbances which had so long afflicted Ireland, were in a great measure attributable to the influence of the clergy. The only way in which there was any chance of producing conciliation would be by bringing forward some specific proposition the effect of which might be comprehended at once, and how far it was compatible with the laws and constitution of the realm. To enact any sweeping measure, by which all the restrictions would be removed, would, in his judgment, have just the contrary effect of producing conciliation.

Earl *Stanhope* said, that the speech of the learned lord was more calculated to excite exasperation than any he had ever heard. It was an attack upon the whole clergy of Ireland, and through their sides of the whole people of that country. He trusted, however, that it would have a contrary effect, and that neither Catholic nor Protestant would be roused into anger by it. A great deal had been said about the right of domestic nomination, and the veto. Now, what was that blessed veto? Nothing more than to give the Crown a direct or indirect share, and rather more than a share, in nominating the prelates and bishops of Ireland. But why have a veto at all, after the concessions made by the clergy in their petition? Why should the Catholic clergy alone be saddled with a veto? Were they the only persons whose religious opinions affected the safety of the established church? He had stated on a former occasion, that in England and Wales, the Dissenters were as five to three compared with the churchmen. In Ireland, it was true, the Catholics were as ten to one, and in Scotland they were all Presbyterians. If a veto was necessary for the Catholics, why did not they also have a baptist veto, an independent veto and a Presbyterian veto? He wished they would, for then they would all be united at once, and there was nothing like a long pull, a strong pull, and a pull altogether. What would then become of poor mother church? Oh! if once the Catholics and Dissenters had but sense enough to join together, what a licking they would give her! The noble earl (Bathurst) who was then looking at him through his eye-glass, objected to the motion because it referred the consideration of the Catholic claims to the next session; would he consent to strike out that part of the motion, and substitute the words, that they be now considered? He would move them as an amendment, if the noble earl would support it.

The *Lord Chancellor* contended that the motion before their lordships was in direct contradiction to the principles of the constitution of this country, for it went to the conferring equal rights and privileges upon all classes of its inhabitants. He thought it would be highly dangerous and inexpedient in their lordships to give any pledge upon a subject of so much importance. With respect to the petition from the clergy of Ireland, if he had known its contents before, he should have felt it his duty to submit to their lordships whether it was a fit one to be received. He was at a loss to understand how it happened year after year, and season after season, that the great question of Catholic emancipation was never brought forward till near the close of the session, and when it was avowed by those who supported it, that it was too late to take any steps at those times. As to giving any pledge upon the subject, he did not think that it would satisfy the Catholic mind; and why, indeed, should they give a pledge at all, when they could do all that was necessary to be done without a pledge? Upon those grounds, and without entering at all into the general merits of the question, he should give his vote against the present motion.

The Bishop of *Norwich* said, that though sincerely attached to the constitution of his country which he venerated, and to the church establishment which he was bound to support, he was so far from thinking that concessions to our Roman Catholic brethren would be dangerous to either, that he believed they would give additional security to both. He did not know what the opinion of the learned lord might be as to the duty of a bishop; but he would tell their lordships, that, in his own opinion, it was the duty, as it was the criterion, of a Christian bishop to conciliate, not to divide—to allay, not to exasperate, religious differences. It had been asked as a triumphant objection, would we pull down the bulwarks of our faith? would we remove the defensive guards of religion? would we shake the pillars of our church? Impressed with those feelings that became his situation, he would give a short answer to this question. The only way to secure permanently the existence of any establishment, civil or ecclesiastical was to evince liberal and conciliatory conduct to those who differed from us, and to lay its foundation in the love, affection and esteem of all within its influence. This was the true bulwark of our church; with this it was secure against all danger—without this every other security was futile and fallacious. To use the words of a favourite author of his, he would say—"Laudari, coli, diligi, gloriosum est; metui verò, et in odio esse, invidiosum, detestabile, imbecillum, caducum." The most enlarged principles of toleration, while they tended in their operation to reconcile all sects, to bring all dissents of faith within the pale of charity, and to smooth the asperity of religious differences, never yet disturbed the tranquillity of any state, or shook the security of any church. A Christian spirit could never endanger a Christian establishment. The subject deserved the serious consideration of those among his majesty's ministers who obstinately persisted in opposing the claims of four millions of his majesty's subjects, and who, having raised the dangerous cry of "no Popery," when concessions to them were proposed, might, unless they adopted a more conciliatory conduct be compelled to hear from the other side of the water the more dangerous cry of "no Union."

The House then divided:

Contents, 40; Proxies, 29—69. Non-Contents, 37; Proxies, 36—73. Majority against the motion, 4.

HOUSE OF LORDS.

Tuesday, June 25.

Public Revenues Consolidation Bill.] On the order of the day for the second reading of this bill,

The Earl of *Donoughmore* objected to the concealment which had been practised with regard to the financial state of Ireland, it not having been at all intimated until now, that she was incapable of bearing her proportion of the burthens of the empire; and now the question was brought on four years sooner than by the act of union it would have been. This circumstance he could not but attribute to financial mismanagement.

The Earl of *Liverpool* said, the necessity of the bill was universally acknowledged in consequence of the financial situation of Ireland, and considering the heavy expenditure of the war it was rather matter for astonishment that such a measure had not become necessary at a still earlier period. As to what had been suggested at the time of the Union, it was evident that it was impossible, at that period, to anticipate fifteen years of war at the rate of expenditure which had taken place. It was the wish of government to relieve Ireland as much as possible; if the property tax had been extended to Ireland the present measure would not have been necessary till the period anticipated at the Union, but that he supposed the noble lord would not have desired.

Earl *Grosvenor* objected to some of the provisions of the bill, particularly that regarding the appointment of a deputy vice-treasurer with a salary of 1,000*l*. per annum, considering it inconsistent with that economy which ought to prevail.

The Earl of *Darnley* also objected to this part of the bill, and took the opportunity to express his hopes, regarding the claims of the Roman Catholics of Ireland, that the question would be taken up as a measure of government.

The bill was then read a second time.

HOUSE OF COMMONS.

Tuesday, June 25.

Roman Catholics.] Sir *J. C. Hippisley*, in bringing up the report of the select committee appointed to inquire into the laws and ordinances of foreign states regulating the intercourse between their Roman Catholic subjects and the see of Rome, took occasion to observe, that had such a report as he had then the honour to present, appeared at an earlier period, much of the disorders by which Ireland was agitated, would have been prevented. Such a mass of evidence as the report contained, would have rendered it impossible for any self-interested persons, who entertained but little regard for the honour of their religion, to impose on so large a class of his majesty's subjects. He then proceeded to detail the course taken by the select committee, in which he had the honour to preside, in applying the various documents which had been submitted to their examinations. The committee had directed their examination chiefly to two points, namely, the appointment of bishops of the Roman communion, and the exercise of the *regium placitum* or *regium exequatur*, upon the intromission of all rescripts and mandatory missives from the see of Rome, or any other foreign jurisdiction. Under a third head they had classed such matter as came within the scope of their instructions, but which was not applicable to either of these heads. And first, they had classed all those states in communion with the see of Rome,—secondly, the Greek church,—and thirdly, the Protestant states, whether of the Lutheran or Calvinistic, or more usually termed the reformed communion. In all those states (the exception being scarcely worthy of notice), it would be found that the exercise of a direct or indirect authority on the part of the sovereign, both in the nomination of prelates of the Roman communion, and upon the intromission of papal rescripts was uniformly in force. The evidence which had been adduced was not merely from writers of the highest authority, but also from the official dispatches of his majesty's ministers, accredited to foreign courts, who, in consequence of an application made by himself to the noble secretary of state (lord Castlereagh) four years since, had been directed to pay the minutest attention to this important subject, and it would be found from their dispatches, that they had manifested the greatest zeal, industry and ability, in collecting the necessary information from the most accredited sources. Sir J. C. H. said, he could not but observe, that when he had the honour to make the motion which had been productive of the present mass of information, one hon. member only had expressed his opposition to that motion, on the ground that it was not becoming this country to ground its proceedings or its regulation on the principles or practices of those states. He regretted that this observation came from an hon. and learned gentleman whose profession might have informed him that our own laws were, with all their perfection, but a tissue of the laws and ordinances of other nations contexed with our own; nor had we scrupled at a very late period, to adopt a canon of the council of Trent, since the Reformation, as the basis of our celebrated marriage act, thereby making the descent of property and honours dependent upon the wisdom of a Romish canon. The opinion of that great legal luminary, lord Bacon, was decisive upon that subject, who had declared that our laws were as mixed as our language—Danes, Saxons, and Normans, all had their share in its frame. He then moved, that the report be laid on the table.

Mr. *Canning* said, that having been one of the majority, which on a former occasion prevented the purpose of the hon. baronet from being carried into execution, he was desirous of showing the difference which existed between that period and the present. Then the measure proposed would have had the effect of impeding the progress of a bill before the House; and rather than delay a bill of such consequence he had no hesitation in declining the information which the hon. baronet had it in his power to give. But on the present occasion, the hon. baronet could not have a warmer supporter than himself; nor had he the least hesitation in saying farther, that the information contained in the report was necessary to the having the question fully understood. Deeply as they were all interested in the final settlement of the question, that settlement could only be valuable in so far as it was founded on the firm conviction, and cordial assent of all parties. The Catholics of Ireland had not only objected to the modifications and conditions which the House might wish to annex to the boon sought for by the Catholics; but it had been argued by them, that the proposing such conditions was a singular proceeding in this country, and that Catholics were subjected to no such conditions in no other country on earth. This erroneous belief was but too often accompanied by another, that no two religions could exist together in perfect tolerance and harmony. He was anxious that this question should be now finally settled, not on the romantic notion, that with it every feeling of animosity would at the same time be settled; but because he believed that the question was one, without the settlement of which no other evil could be radically cured; it was not only an evil in itself, but it was made the pretext for many more, and it aggravated them all. The documents appended to the report, would show that the conditions which had been proposed in this country, fell far short of what every other country, whether Catholic or Protestant, thought it necessary to adopt for its safety. It had happened to him to be a few weeks ago in a part of Europe, stated in many publications which he had read, to contain the seeds of bitter persecution of the Protestants, on the part of the Catholics. He found no marks of the existence of any such persecution; but he had found what was so little known in this country, that Protestants were not only tolerated, but in every respect on an equal footing with their Catholic fellow subjects, and even seemed to have more than their proportion of honours and employment. He alluded to the department of the Gironde, which contained a population of 514,000, of whom the Protestants amounted to 30,000, or one seventeenth of the whole. Of the seven members of the chamber of deputies returned by the department, one was a Protestant. Of the five counsellors of the prefecture, one also was a Protestant. Of 24 members of the municipal administrations, five were Protestants. In another council at Bourdeaux, seven were Protestants. In a procession which took place while he was at Bordeaux, the archbishop of Bordeaux was first in order, and he was immediately followed by a Protestant clergyman. The banker to whom he had been recommended, had received a patent of noblesse from the present government; and of four other patents bestowed in the department since the accession of the government in question, three were to Protestants, and one to Catholics. All this existed without creating any convulsion, or subjecting the Protestants to any inhuman persecutions. It might indeed be said, that these acts showed the spirit of the government rather than that of the people; but however, as many of the elections were by corporations, they could not have happened if any angry religious feelings had existed. He was more and more convinced of the necessity of emancipation; and that with the conditions which it might be thought advisable to annex to the boon, the final settlement of the question ought not to be delayed. To this final settlement the report of the hon. baronet could not fail greatly to contribute.

Sir *H. Parnell* wished to communicate to the House some information received by him from the Catholic prelates of Ireland. They had proposed of their own accord, that instead of the present mode of nominating bishops, they should in future be elected by the dean and chapter. This mode would assimilate the discipline of the Catholic church of Ireland to that of several other Catholic states, and would bring it back to the purer ages of the Catholic church. This plan of election by the dean and chapter was the law for many ages of the Christian church; and had been adopted by the church of France, and in our own statute of provisors. The Catholic clergy, in making this proposal themselves, had receded from their resotions of 1808, in which they declared the inexpediency of any change whatever.

Lord *Castlereagh* apprehended that the question, whether bishops should be elected by the dean and chapter, or, as latterly, by the see of Rome, was one with which the parliament could not meddle, without departing from the rule which they had always laid for themselves, of avoiding all interference with the Catholic religion. This was a question between the clergy of

Ireland and the see of Rome, and not between the Catholics of Ireland and parliament. However much it might be wished that the election of the bishops of Ireland should approximate as much as possible to our own, he could not consider such a mode of election as a substitute for the security proposed to be taken. He conceived the House were greatly indebted to the hon. baronet for the pains he had taken in collecting the information contained in the report; and with respect to which he had given the hon. baronet every facility in his power. The body of information was so extensive, that the labours of the committee were likely to be attended with success. They would carry conviction into every mind, that the British legislature never contemplated the proposing any regulations which were not thought necessary both in Protestant and Catholic states. This information could not fail to do good in the case of those whose minds had been led away and disturbed by false statements on this subject. Those who hereafter opposed the conditions must do it from an indisposition to a liberal connexion with the state. He was extremely happy to see that they were likely to have on their table a report founded on so many documents of the greatest authority.

Mr. *Horner* could not help congratulating the Catholics on what he had heard with so great satisfaction, the sentiments delivered by the right hon. gentleman (Mr. Canning), who had lately acceded to the ministry. He could not help inferring from the manner in which, as well as the occasion when these sentiments were delivered, that they might look forward with better hopes and expectations than they had ever yet had of a speedy settlement of the great question of Catholic emancipation. When he coupled those sentiments which the right hon. gentleman had just delivered with the circumstance of his recent accession to the administration, he felt convinced that the right hon. gentleman would not have expressed his increased sense of the importance of a final settlement of the question, unless he had previously come to a distinct understanding on the subject with the rest of the administration: and he felt this conviction the more strongly when he called to remembrance the very manly grounds on which the right hon. gentleman stated some time ago that he had declined acceding to the same administration. He hoped, therefore, that the right hon. gentleman had not delivered his sentiments on this occasion merely as a member of parliament; that in the next session the question would not come before the House as usual, merely in consequence of petitions from the Catholics, but that it would be officially brought in by those who held the most prominent place in the councils of the country, and that they would no longer have to witness that trifling, which, year after year, had been displayed, of men filling the highest situations of the government, holding out this as a measure of the most vital importance —declaring that no measure with regard to Ireland was likely to be attended with any good effect, if it was not carried—that Ireland could not otherwise be tranquillized—and yet leaving a measure of such vital importance to the country, to be brought forward, not by themselves, but by those who could not have the same weight with themselves, and whose efforts could not, therefore, be expected to be attended with the same success. The right hon. gentleman had thought proper to allude to another topic, which had little or no connexion with the present subject —for what reason it was not so easy to see—the situation of the Protestants of the South of France. Who had ever said, that the Protestants were persecuted at present in the part of France, which the right hon. gentleman had mentioned? But did he take upon himself to undo all the evidence which had been given of the existence of the most severe persecution of the Protestants in another quarter of France? No one ever said, that there had been any persecution in the department of the Gironde, but in the department of the Gard. Neither had it been said, that that persecution was carried on by the French government, but by the lower orders of Catholics against their Protestant fellow subjects. Yet though the government had not themselves carried on the persecution, it was stated, and justly stated, that it had not done its duty in taking those measures which would have put a stop to it.

After a few words from sir J. C. Hippisley, the report was brought up, and ordered to be printed.

METHODIST MISSIONARIES.] Mr. *Butterworth* said, that as some severe reflections had been reported to have been made on a very deserving body of men by an hon. member (Mr. Barham) he wished to make a few remarks respecting them.

The *Speaker* observed, that it was irregular, even when a question was before the House to refer to a former debate; but as there was now no question, it was still more irregular.

Mr. *Barham* regretted that the rules of the House did not permit him to give the explanation which the hon. member seemed to call for.

Mr. *Butterworth* then gave notice of a motion to-morrow, for extracts of the dispatches received by the government from the colonies, respecting the proceedings of the missionaries during the two last years.

EAST INDIA ACCOUNTS.] Lord *Morpeth* made some inquiries as to the causes of delay in the ratification of the treaty with the Nepaulese; and moved, "That there be laid before the House an account of the foreign and territorial debt of India, bearing interest, and that not bearing interest, specifying the rate of interest."

Mr. *Canning* replied, that no accounts had been received by government, which would enable him to form any conjecture as to the probable cause of delaying the ratification of the treaty. The accounts of the debts would be made up as soon as possible.

Mr. *Howorth* asked Mr. Canning whether he had any objection to his moving for the production of such papers as related to the mandamus issued by the court of King's-bench, and served upon the directors of the East India company, at the instance of the board of control; and stated that his object in moving for such papers would be, the information of members during the recess, not only as he considered the subject to be one materially affecting the efficiency of our governments in India, but as he had reason to believe that the subject would be brought forward early in the next session.

Mr. *Canning* replied, that he was not disposed to accede to such a motion, that it would only tend to revive animosities, that the subject was now gone by, and that, therefore, notwithstanding the menace of the hon. member to bring on a discussion on this matter on some future day, he should oppose it.

Mr. *Howorth* observed, that he had not menaced in any way, that it did not rest with him, but with others to bring this question on; with regard to the time being gone by, he must beg leave to assure the right hon. president of the board of control, that in consideration of the state that board had been placed in for some months (without a president), not only discussion on this subject, but on other matters of great importance to the affairs of India had been postponed.

Lord Morpeth's motion was agreed to.

RETURN OF PERSONS CONFINED IN KING'S-BENCH PRISON, &c.] Mr. *Bennet* reminded the House that in the last session, a committee of the House had sat to examine into the state of the prisons, which committee had recommended that a commission should be appointed to inquire into the state of the King's-bench, Marshalsea, and Fleet prisons, and that it should be recommended to the judges to investigate and remove the abuses existing therein. At the beginning of the session, when he had made inquiries as to this commission, it was said that it had been appointed, but that it had not then proceeded with its investigation. Since that, though the session was so near its termination, he had heard no more of it. As to the King's-bench, it was said that much had been done to remedy the abuses. Now, though something had been done, yet nothing effectual had been done. It would hardly be believed that the marshal had derived 800*l.* a year from a per-centage on the beer drank in the prison, in defiance of act of parliament; and 2,500*l.* a-year from the rules: that was to say, this sum of money was taken from the pockets of debtors, to the injury of their creditors, for the benefit of the marshal. He could not imagine that these abuses could continue, unless the marshal was supported by some person of high authority. The paper which he had moved for respecting the Petworth house of correction, would show that the abuse of the system of solitary confinement, had exceeded any thing that could have been imagined. For the crime of vagrancy a person had been subject to this terrible punishment for 13 months, one for 7 months, and several for 4 months. As to the wretched woman, whose case he had before mentioned, he had no doubt that her insanity had been produced by the solitary confinement, as she was now declared to be not insane. Among the cases mentioned in the return was, that of a man who had been kept in solitary confinement three months for destroying a pheasant's egg! That was to say, the miserable being who fell under the sentence, was kept 23 hours out of the 24 within four small walls, without any kind of employment, either entirely open to the air, or quite excluded from light, and the crime for which this punishment was inflicted, was the breaking a pheasant's egg. He thought it was the duty of the person with whom the power resided, to strike out of the commission the magistrates who had concurred in this sentence. The hon. gentleman then moved for an account of the number of persons confined in the King's-bench prison on the 24th of June, 1816, and of the greatest number confined in that prison, between the 24th of June, 1815, and the 24th of June 1816.

Mr. *Addington* said, the commission which had been appointed had not yet made its report, but considerable progress had been made in the investigation. When the report of the committee had been laid on the table last session, no motion had been made on the subject, but the secretary of state for the home department had thought it his duty to recommend the appointment of a committee, and he had also laid a copy of the committee's report before the chief justice of the King's-bench, who, it was presumed, would take the steps which were necessary with respect to the prison more immediately under his jurisdiction.

Mr. *Burrell* hoped he should be allowed to say a few words to do away the impression which the hon. mover had made on the House. As to the first case of Isaac Francis, who had been confined for 13 months as a vagrant, his confinement was an act of charity. When he was taken up, he was unable to give an account who he was; all he could utter was the word "Newport." Inquiry was made at Newport in the Isle of Wight, but no such person was known there. At last a woman happened to come into the neighbourhood from Newport in Monmouthshire, from whom it was learnt that the person belonged to that town, and he was restored to his parents. As to the female who had been mentioned, she was still supposed to be insane, but if security was given for her the magistrates would willingly liberate her. The case of the man who was confined for destroying a pheasant's egg, he was not acquainted with. The cause of complaint which had been given by solitary confinement would soon be removed, as two rooms were to be built for the common use of the prisoners.

Sir *C. Burrell* defended the magistrates of the district, whom he could state to be attentive and humane. The female alluded to had, when brought before the magistrates, in the first instance, committed such acts of violence that he had considered her insane. The inconvenience arising from the want of windows in the cells had been removed, by introducing a pane of glass into the shutters, so that even when they were closed there was light enough to read by.

Sir *F. Burdett* said, that the manner in which this poor woman had been confined, and the period of that confinement, was enough to make her insane. He entered into a statement of the particular circumstances attending her seduction, which he thought extremely distressing, and deserving of serious attention. The punishment of solitary confinement had, he believed, been much abused, not so much by a stretch of power, as by a mistaken idea of what was intended to be produced by it. The punishment had been recommended by Mr. Howard, in order that the individual secluded from all intercourse with society, might have time to reflect on his conduct, and to form proper principles of reformation. It certainly, however, was never meant by Mr. Howard to extend this punishment to so enormous a length as two years, and to keep the individual buried alive without admitting him to the open air. The case was of vast importance, and particularly called for the attention of the House.

Mr. *Huskisson* said, that considerable alterations were making in the prison, by order of the magistrates. He did not, however, wish the punishment of solitary confinement to be abolished. It gave the individual time to review his conduct, while, on the contrary, unlimited intercourse with prisoners actually vitiated the morals, and led to hardened incorrigible impenitence. The character of Mr. Serjeant, chairman of that county, for humanity and attention to the interests of justice, was too well known to require any eulogium from him.

The motion was agreed to.

NATIONAL MONUMENTS.] General *Thornton* drew the attention of the House to the propriety of building free churches, instead of pillars, to celebrate our victories, and moved an address to the Prince Regent, to request his royal highness to give directions, that free churches be erected as National Monuments, in honour of the ever- memorable victories of Trafalgar and Waterloo.

The *Chancellor of the Exchequer* acknowledged that there was a want of churches in the metropolis, and stated that it was intended to propose some measure next session to remedy the evil. He said that the idea of appropriating a great number of churches to commemorate our triumphs, did not appear to him one that could be entertained. If adopted, he thought that the expense would exceed the sum voted. He concluded by moving the previous question.

Mr. *W. Smith* hoped the monuments, whatever they might be, would be made to answer some purposes of utility, besides those of national trophies.

The previous question was agreed to.

HOUSE OF LORDS.

Wednesday, June 26.

Saving Banks.] Lord *Sidmouth*, after the Saving Banks bill had been read a first time, stated, that objections had been made to it from a quarter deserving of every respect and attention; and that it was not, therefore, the intention to propose that it should pass this session. He moved, however, that it be printed.—Ordered.

Stage Coach Drivers Bill.] The Earl of *Lauderdale* objected to the committal of this bill. Besides that no person would agree as to what was or was not over driving, the bill was objectionable in other particulars. Those who drove against time were to be punished with three months imprisonment. The mail-coach drivers were obliged to drive against time: and he had in his hand a mail-coach way-bill, which stated that the driver who was behind his time in one stage was to be punished, unless he made it up in the next. Now, under this bill, these mail-coach drivers would be liable to three months imprisonment. In some of the clauses, too, the language was perfect nonsense. He moved, that the word "now" be left out, and the words "this day three months" be inserted. The question that the word "now" stand part of the question was negatived. The bill therefore was lost.

HOUSE OF COMMONS.

Wednesday, June 26.

Methodist Missionaries.] The Speaker having called upon Mr. Butterworth,

Lord *Castlereagh* said, that after the unanimity which on a former night had prevailed, at the close of the debate, respecting the colonies, he hoped the hon. member would see the inexpediency of giving rise to a new discussion, which might give to the former vote a character which did not belong to it. No practical good could arise from a discussion of the character of the missionaries at the present period of the session. The question of the best manner in which the gospel might be communicated to the negroes, might be reserved to a more favourable opportunity; for that the extension of that knowledge to the slaves had done good upon the whole, no one had ventured to deny. Some mishief which must take place in carrying into effect any great system, might have arisen, but cases of individual abuse could form no reasonable objection to the system itself. So far as the Wesleyan Methodists were concerned (the body with whom the hon. member was more particularly connected), no blame had ever been attached to them. That body and the Moravian missionaries, had been spoken of by all with great respect. He hoped, therefore, that the hon. member would not persist in pressing the subject at present.

Mr. *Butterworth* said, that after the declaration of the noble lord, as to the acknowledged good which had been derived from the missions, and the particular good conduct of the Wesleyan Methodists, he should not obtrude any observations on the House. He had been requested by a committee of a missionary society, to enter into a defence of their conduct, and he had been fully prepared to enter into a full vindication of that body. He should, however, withdraw his motion, which was now rendered unnecessary.

Mr. *Barham* said, the noble lord had very truly stated, that he had never attributed to the communication of religion to the negroes any thing but good. It was also true, that he had never made any charges on the particular body of religious persons to whom the hon. member belonged. Indeed, he was not qualified to make a charge upon that particular body, not being sufficiently acquainted with the minute distinctions of sects, to distinguish one from another. All he knew was, that persons generally called Methodists, had produced much mischief.

The *Chancellor of the Exchequer* said, he could adduce a testimony to the conduct of the missionaries, not in Jamaica, indeed, but in the Leeward Islands. The governor of those islands had sent a letter to the government of this country, in which he stated, that the Wesleyan and Moravian missionaries had been extremely instrumental in promoting sobriety and good order among the slaves; and that as the supplies of the Moravians had been cut off by the war in Germany, he thought their essential services to the colonies, entitled them to the assistance of government. He had accordingly consulted with Dr. Latrobe, an eminent member of the Moravian society, in this country, who, on the part of the missionaries, declined any pecuniary assistance. He stated, that though their means were reduced by the circumstances of Germany, they had enough to subsist on, and were accustomed to rely on the industry of their flocks, and the support of Providence: all they required, therefore, was protection.

The motion was withdrawn.

MOTION RESPECTING BERBICE.] Mr. *A. Browne* moved for a letter of Mr. Gordon, governor of the colony of Berbice, dated Jan. 1812, and addressed to lord Liverpool. It was not printed among the other documents that had been produced relative to the state of that colony. He also moved for a copy of the instructions communicated by the commissioners for managing the Crown estates of that colony to their agent, Mr. Macallaster, and alluded to in the letter of governor Gordon; as likewise an account of the sums expended by the commissioners on these estates, and the receipts of their produce into the treasury. Adverting to the conversation that had just passed, he could not help declaring, in justice to the missionaries, that so far as he knew any thing of them when he resided in the colonies, he could bear the most honourable testimony both to the purity of their private lives, and the usefulness of their public labours. When he so spoke, he alluded not to their recent proceedings, but to their conduct some time ago. The complaints against them in the colonies at present were loud and universal, and he was willing to allow that, whether from the rapid strides sectarian principles were making in this country, and an infusion of sectarian zeal proceeding from the success that attended those principles, or from an internal movement in the class of missionaries themselves, their spirit was entirely changed. He did not blame the Wesleyan Methodists. The violence of the West Indian missionaries might be attributed to the heated zeal of other fanatics; but whatever was its source, the complaints against the conduct that it inspired were general in the colonies. The greatest discontent was every where felt.

Mr. *Goulburn* wished the hon. member would leave out of his motion the letter of governor Gordon, as it could not be found in the colonial office.

Mr. *Butterworth* said, it was not likely that any relaxation would take place in the exertions of the Wesleyan missionaries. They had formerly been under the direction of the late Dr. Cook, who died on his voyage to Ceylon. They were now under the direction of a committee, by whom the business would probably be still more zealously conducted. As to the insurrection in Barbadoes the Wesleyan methodists could have had no effect upon it, as no missionaries of that description had been in Barbadoes for 17 months, except one, who had touched there on his voyage to another island.

Mr. *W. Smith* was anxious that all the papers which could illustrate the conduct of the commissioners should be produced. The opposition of governor Gordon to the commissioners had been absurd, and it was to this opposition the slow progress of that commission was to be attributed. The commission had been composed of the chancellor of the exchequer, Mr. J. Gordon, Mr. Wilberforce and Mr. Stephen. The hon. member then read a letter to show that the system pursued by the commissioners towards the slaves had been beneficial. In a time of great scarcity, not one Crown negro had been taken up, although not a day elapsed without the apprehension of some slave from other estates for stealing on the Crown plantations.

Mr. *Marryat* would be glad of some information, as it was rather unfortunate for the commission, that the number of slaves had considerably decreased during their management, the deaths being more than double the usual number; besides, their pecuniary concerns had totally failed, insomuch, that instead of paying money into the treasury, they were obliged to receive supplies from it. He believed their motives good, but their management had been injudicious.

Mr. *Wilberforce* wished to state the origin of the commission, the objects it had in view, the manner in which it endeavoured to execute those objects, and the success that had attended its efforts. It was suggested to the benevolent mind of the late Mr. Perceval, and appointed by him. The slaves on the estates placed under its management were decreasing so rapidly, that it was calculated in 14 or 15 years they would be totally exterminated. There appeared no other mode of preserving them than by appointing such commissioners. When they began their labours, they sought for persons capable, by their experience or their local knowledge, of securing every advantage. They found people acquainted with the West Indian management, and sent them out to take charge of the property, with instructions how to act. But, previous to this proceeding, they received a letter from the governor, describing the dilapidation of the estates, the difficulties of procuring provisions, the destruction of machinery, the reduction of the number of the negroes, &c. in such colours as should deter them from risking the credit of their principals on the success of an experiment undertaken in such unpromising circumstances, and opposed by such formidable obstacles. They were therefore about to decline the undertaking, and were only induced to proceed by an understanding that a temporary failure would not be decisive against the wisdom of their plans, and a desire to save the slaves that remained. They found a person as manager in whom they were taught to confide, but whom they afterwards found not so worthy of confidence as they anticipated. They directed him to choose an assistant, who unhappily died in a few months. Mr. Macallaster, the assistant, was well spoken of by the governor himself, who, as soon as he died, took possession of his papers. Seeing among them the body of instructions alluded to, and conceiving from them that the commission would interfere with his interest or authority, he did every thing in his power to oppose them. The hon. gentleman was proceeding to detail the transactions of the commission, when general Mitchell rose to order. He thought the hon. gentleman should not be allowed to proceed in details which were capable of being refuted, but which the irregular mode in which they were brought forward would deprive those connected with the West Indies of all opportunity of contradicting. Mr. Wilberforce was proceeding, when the conversation was terminated by lord Castlereagh's moving that the House be counted; and there not being forty members present, an immediate adjournment took place.

HOUSE OF LORDS.

Thursday, June 27.

PUBLIC REVENUES CONSOLIDATION BILL.] The House having resolved itself into a committee on this bill,

Earl *Grosvenor* observed, that he had very decided objections to some of the clauses. Ministers had set out with professions of economy, while all their measures evinced a quite contrary spirit. Amongst their other plans of extravagant expenditure, it was the original intention of ministers that a salary of 3,500*l.* should be given to a vice-treasurer, who was to have a deputy with 1,000*l.* a year. Instead of putting an end to the old, the ministers created new sinecures. The other House, however, very properly reduced the salary of the vice-treasurer, but had rather inconsistently agreed that the public should pay a sum of 1,000*l.* for the deputy. It would have been easy to have found a respectable person who would have well discharged the duties of the office for a few hundreds a year. He moved as an amendment, that the sum of 2,000*l.* be left out, and 1,500*l.* be substituted.

The Earl of *Liverpool* said, that eight offices tenable by members of the House of Commons were abolished by this bill, and that only three offices so tenable were created. The patronage of the ministers was, therefore, very considerably reduced by this bill. He admitted, that it had been the intention of ministers that the salary of the vice-treasurer should be 3,500*l.* When the union with Scotland was effected, there was an express stipulation, that certain offices should be retained, so as to give Scotland a fair proportion of official influence. When the union with Ireland took place, there was no such stipulation; but when this measure was to be carried into execution, he had thought it right, upon the principle of giving Ireland its just proportion of official influence, to propose the creation of the office of vice-treasurer with a salary of 3,500*l*. He confessed his apprehension had been, that the argument would have been the other way: however, the salary had been reduced by the other House, and he had no intention of proposing to alter what they had done. He differed from the noble earl with respect to the principle upon which the amount of salary ought to be calculated. Certainly, persons might be found to discharge the duties of secretaries of state and first lord of the treasury at a few hundred pounds salary; but he contended that it was just and proper that these offices should be made a fair object of ambition to persons of liberal education, and a certain rank in the state.

The amendment was negatived. The noble earl then proposed, as an amendment, that the salary of the deputy should be paid by the principal, and not by the public, which was also negatived.

West India Slaves.] The order of the day being read,

Lord *Holland* said, that the motion which he had now to submit to their lordships was, for an address on the subject of the late Slave insurrection in Barbadoes, nearly in the same words as that proposed and unanimously adopted in the House of Commons. He said nearly, because the motion which he was about to submit contained some additional words relative to the improvement of the condition of the black population. The motion came recommended by the concurrence of the other House of Parliament, and also by the concurrence of those who, like himself, were particularly interested in the West Indian islands. His motion would embrace two distinct, but he hoped not incompatible objects. One object was to protect the lives and fortunes of the white population of the West Indies by removing erroneous impressions which had been made on the minds of the negroes. The other object was, to promote the happiness and improvement of the black population, and to give full efficacy to one of the greatest and wisest measures that ever had been adopted by any legislature—he meant the abolition of the slave trade. All must concur in this—and it was certainly looked to by those who had been most anxious to carry the measure of abolition into effect—that at some future period the condition of slavery was to cease in our West Indian colonies, and that the measure of abolition was but the prelude to so desirable a consummation. But those very persons who were most anxiously devoted to the effectuating that great and wise measure, the abolition, were well aware that it was one of the evils of the state of slavery, that it so degraded the human mind, that it was not possible there could be a sudden and rapid passage from that condition, to the enjoyment of all the rights and privileges of the British constitution; and, for the honour of the measure of abolition itself, he trusted that all would be done in a quiet and proper manner. Many who had opposed that measure had since altered their opinions; and they had had the happiness of hearing a noble lord who had opposed it state, that he had since been convinced that he was wrong, and repented of that opposition. But even those who still might think that measure wrong, must be convinced that it was utterly impossible that this country could ever revive that horrible traffic; and all must, he conceived, be now satisfied, that every attention ought to be paid to the improvement of the condition of the black population, as far as that condition was capable of improvement. It was not his intention to detain their lordships by a long detail of the events at Barbadoes—they were already sufficiently notorious; but he wished to say a few words as to the cause of the insurrection. The proclamation of sir James Leith was distinguished for talent, and humanity and did honour to the head and heart of that gallant general. There it was distinctly stated, that the insurrection took place in consequence of the delusion which had prevailed among the negroes on the subject of their complete emancipation. He had, besides, private communications from the several islands to the same effect. General Leith said, that the insurrection had arisen chiefly from the delusive notion that the British legislature had determined to set the slaves free, and that he himself had been commanded to announce that determination. He had reason to believe that Sir J. Leith had not contented himself with his proclamation, but had personally communicated to many of the negroes that this was altogether a delusion. It appeared certain, then, that this delusion had prevailed among the black population of Barbadoes and other West Indian islands. As to the causes of that delusion there were various opinions. Some ascribed it to the slave registry bill; others ascribed it, not to the measure itself, but to the mode in which the subject had been discussed by means of the press and otherwise. He lamented that that measure had been attempted to be carried in the British legislature, before it had been tried whether the colonial legislatures might not adopt such regulations as might be necessary to prevent the illicit importation of slaves. He must however say, that he could not pretend to justify all that had been said against it. He did not mean to criticise with severity the zeal and fervour of the advocates for the measure; but, on the contrary, must say for them, that it ought to be recollected that all the violence which had appeared in the discussions did not rest with them. But, on the other hand, it ought to be remembered, that all that violence did not rest with those who opposed the measure, and that they had some ground for irritation. They, and especially the colonial legislatures, might say, "the measure is altogether founded on reflections upon us;" and therefore it was hardly to be expected that they should be peculiarly mild in their opposition. He recollected a story which he had heard, he believed, in Spain, of a shepherd having been called before a magistrate for having killed his neighbour's dog with a short spear which is sometimes carried by the shepherds in that country. To the question from the magistrate why he had killed the dog, the man answered, that the dog had attacked him, and that he did it in self-defence. Why, then, said the magistrate, did you not defend yourself with the butt end of your spear. Because, replied the shepherd, the dog ran at me with his mouth, and not with his tail. But as there had probably been some blamable asperity on both sides, it was proper that both should assume a more conciliating disposition; and he recommended harmony and good-humour to both parties.—As to the slave-registry bill, it was founded on the supposition that the illicit importation of slaves was carried on to a considerable extent. If he were really convinced that illicit importation had been carried on to any great extent, he would have been the first to have recommended the strongest measures for its suppression, and for effectually putting down that execrable and accursed traffic. He was friendly to the measure of registry itself, but not to a registry under a law by the parliament of Great Britain, till it had been found impossible to prevail upon the colonial legislatures to pass such a law. His opinion then was not different in principle from that of those with whom he had usually acted on this subject; the only difference was as to the mode and time. He did not say (God forbid he should) that the British parliament had no right to pass such a law: but he did say that parliament ought to exercise its right with prudence and discretion. The subject was chiefly local, and had infinitely better be left to the local legislatures, and the British parliament ought to interfere only when all hope of having the object accomplished by the colonial legislatures must be abandoned. As to the delusion which had prevailed among the black population, some had ascribed it to the missionaries. As far, however, as his information went, the delusion had not been occasioned by the diffusion of religious knowledge among the black population; and indeed how could the diffusion of religious knowledge have any such effect? On the contrary, he was of opinion that the diffusion of religious knowledge among them would be one great means of their improvement. It was important, however, that religion should be introduced among them in the shape in which it was professed by the master; for, otherwise, such was the state of the negro mind, that they would conceive that they got—he did not mean to speak with improper levity—an inferior article in the way of religion, unless that which was taught him was the same with that which was professed by the master. This was the plan upon which the Moravian missionaries acted, he believed; and it had been attended with the best results. In presenting, then, an address on the subject of the late insurrection, he thought it would be proper that the subject of the general improvement of the slave population ought not to be neglected, and that it would be proper that the Prince Regent should be requested to recommend a due attention, by religious instruction and otherwise, to the improvement of the black population. He had been represented as having, in the course of the few words which he had uttered on this subject on a former occasion, said that the legislature of Jamaica had already done all that it could do, and all that could be expected. He certainly had never said any such thing: and he was sorry it should have gone forth to the world that such was his opinion. The legislature of Jamaica had not done all that it could do, nor all that might be expected from it, though no blame attached to that legislature for not having as yet done it. He must not omit to mention, that the grounds on which he and others had supported and panegyrized the abolition had been completely verified. They had asserted, that the effect would be to operate a considerable improvement in the condition of the black population by the means of individual interests; and if they looked at the general treatment of the slaves, they would find that it had, in point of fact, been very much improved. This evidently appeared from the reports made on the subject, and especially that greater attention was paid to women in a state of pregnancy. Immediately after the abolition the black population had considerably decreased; but since that time, the decrease had become less considerable, and there was every reason to hope that it would be soon on the increase. In Tobago, particularly, great attention had been paid to the increase of the slaves, and there were in that island 200 slave children under the age of ten years. Such were the good effects which they had anticipated from the abolition, and he trusted that these effects would continue to be produced in a still more considerable degree. With respect to improvement in the moral state of the slave population, he confessed that on that head he felt very considerable disappointment. They could not, perhaps, look altogether to laws merely for operating this desirable change: but, even in the way of legislation, he was far from thinking that all had been done that might be done. More, he conceived, might have been effected, especially in point of religious instruction, which was the only way to teach the negroes a proper regard to an oath, and a proper respect for the institution of marriage. He did not conceive that there was any great reluctance on the part of the colonial legislatures to encourage the diffusion of religious knowledge among the negroes; and when the opinion of the British parliament on the subject should be known, he trusted that the subject would meet with that attention which its importance deserved; and he must also say that the church of England had not paid that attention to it which the public had a right to expect. As to the subject of illicit importation, he did not belive, that any such importation had taken place, to any extent, into any of the West Indian islands, except Trinidad, as to which he knew nothing. The peace, however, might unquestionably facilitate such importations; and, therefore, the measure of registry, effected by the colonial legislatures themselves, was in itself proper. It was singular that the arguments on this subject had now changed sides. Those who opposed the abolition, had formerly contended that illicit importation would be quite easy. This had been denied by those who supported the abolition: but at all events, from the greater facility afforded for such a practice by the peace, he conceived that a registry would be convenient, if not necessary. There had been, in his opinion, more prejudice against a registry than the nature of the thing at all justified, though that prejudice had probably been raised or cherished by the mode in which the matter had been conducted in this country: but at all events, whatever objection might be felt to it in the colonies, it would be well for them to consider that it would be impossible for them to resist; and if the thing was not done by them, it would be done for them: but he hoped it would be done by them, without which it would lose half its value. The colonial legislatures might do it much more expeditiously and safely, and also much more effectually, and therefore the matter ought to be left to them. There was no good reason to think that the measure was really disagreeable to the colonists. It was the manner and grounds of the proceeding which had produced so strong a repugnance to it: but they might still think the thing itself proper, and he trusted the measure would be carried into execution by them. He confessed that there was no circumstance in his political life upon which he looked back with so much satisfaction as upon the support he had always given to the great and wise measure of the abolition. The only time in which he sat as one of the royal commissioners was when the royal assent was given to the bill which for ever put an end to the slave trade, as far as concerned this country. But justice was due to all; and the further measures that might be necessary for rendering the act of abolition effectual, and for improving the condition of the negroes in the West Indies, could never be effectual without the concurrence of all; and therefore cooperation and conciliation ought to be the object of all parties who wished to give full effect to the great and wise measure of the abolition. All, therefore, ought to feel that it was proper to abstain from that sort of language which could only irritate and provoke without being productive of any good effect; and if they did that, they would probably discover, that on this subject there was very little difference of opinion between them. He concluded by moving,

"That an humble address be presented to his royal highness the Prince Regent praying that he may be graciously pleased to cause communications to be made to the governors of the several islands in the West Indies, of his royal highness's pleasure that they do take immediate measures to proclaim throughout the colonies which they respectively govern, his royal highness's highest displeasure at the daring insurrection which has lately taken place in the island of Barbadoes; to declare in the most public manner his royal highness's concern and surprise at the opinion which appears so falsely and mischievously to have prevailed in some of the British colonies, that either his royal highness, or the British parliament had sent out orders for the emancipation of the negroes; and humbly to request his royal highness, that while his royal highness directs the most effectual measures to be adopted for discountenancing these unfounded and dangerous impressions, his royal highness will be graciously pleased to recommend in the strongest manner to the local authorities in the respective colonies, to carry into effect every measure which may tend to promote the moral and religious improvement, as well as the comfort and happiness of the negroes, and to make every necessary provision against any violation of the abolition acts, under the facilities which may be afforded by the restoration of peace."

Earl *Bathurst* highly complimented the noble baron for his very candid and able speech. The delusion had been general amongst the black population of the West Indies, and there was hardly one of the islands from which advice of its prevalence had not been received. It was probably to be ascribed partly to those who supported, and partly to those who opposed, the registry. The insurrection, however, had been quelled; and he hoped that the local legislatures would now be convinced that there was no disposition in the British parliament unnecessarily to interfere with them. Additional regulations might, no doubt, be advantageously adopted on this subject, and they would come most properly from the local authorities. It might naturally be expected that a British planter would be a better master than the planters of some other countries: but they had the mortification to know, that the laws of the colonies of some other nations were superior, with respect to the slaves, to the codes of the British colonies. He agreed, however, that the improvements ought to proceed from the local authorities; without which they would lose half their value. This was the real state of the question: there was no disposition in the British legislature to interfere with the local authorities. But after going from court to court, soliciting all the powers of Europe to join us in the abolition, it was utterly impossible that the slave trade could ever, with any degree of honour or justice, be revived by this country; and such being the state of the case, this country must take care that as far as it was itself concerned, the abolition be carried into complete effect. He did not believe, however, that there was any disposition in the colonies to violate the law by the continuation of the traffic.

The Duke of *Sussex* observed, that after what had been already said, a very few words from him would be sufficient. He had only to say, that his opinion in favour of the abolition, and in favour of such measures as might be necessary to carry it into complete effect, remained unaltered. He fully agreed, however, in the principle, that the measure of registry ought to be left to the local authorities, and that the British parliament ought not to interfere till all hope from the local authorities were abandoned.

The address was then unanimously agreed to.

HOUSE OF LORDS.

Friday, June 28.

West India Religious Instruction.] The Archbishop of *Canterbury* solicited the indulgence of the House for a few moments, while he adverted to some part of the statement of the noble baron (Holland) on the subject of the diffusion of Religious Instruction among the black population of the West India islands. The whole subject had been treated by the noble baron with his usual ability, and he had ascribed to the matter of religious instruction that importance which it deserved: but the noble baron had said, that the diffusion of religious instruction among the black population had been neglected by the church of England, or at least that the church of England had not done every thing in furtherance of that object which the public had a right to expect from it. As far, however, as his information extended, the charge was not correct. The matter had been generally understood as falling within the jurisdiction of the bishop of London. It had at one time been subjected to the jurisdiction of a particular bishop of London; but that authority had ceased with the life of that particular bishop; and since that time the West Indies had not belonged to the jurisdiction of any particular see. The object of communicating religious instruction to the black population of the West Indies had not, however, been neglected. The only fund they had for sending out missionaries to the West Indies was that which was left by the will of Mr. Boyle; and they had kept a missionary at Barbadoes, another at Antigua, and a third at Nevis. The Barbadoes missionary was dead, and they had only two out at present. The stipend allowed for each was 300*l.* But from the manner in which the missionaries had been received, or some other causes, they had found a very considerable difficulty in procuring fit persons for that duty. The fund at present amounted to 2,000*l.* a-year. The church had not neglected this part of its duty, and would certainly give it all proper attention.

Lord *Holland* disclaimed all intention of casting any imputation of neglect upon the clergy of the church of England as a body, or any particular member of that body. He himself had known some eminent men bishops of London, who had paid great attention to the religious instruction of the black population of the West Indies, especially bishop Porteus. The way in which he had introduced that subject was this—he had been pointing out the importance of having religious instruction communicated to the negroes in the shape or form in which the christian religion was professed by the master, and on that account he thought that the church of England missionaries could do most good. He had stated his opinion, that neither the legislatures nor the church had done all in this point of view which might have been done — certainly not meaning to cast any particular imputation on the church. He was glad that the fund was in a state which would enable the church to do a great deal of good in the important particular of communicating religious instruction to the negroes in the West Indies in the form best calculated to render it highly beneficial.

HOUSE OF LORDS.

Monday, July 1.

GAS LIGHT BILL.] On the order of the day for the third reading of this bill,

The Earl of *Lauderdale* contended, that the bill was a gross private job, which he could not believe their lordships would sanction. His lordship entered into a statement regarding the accounts of the company, and quoted passages from the evidence before the committee, for the purpose of showing that the financial details were wholly unsatisfactory, and the information altogether either equally so, or tending to prove that the company aimed at a monopoly, which would ultimately prove injurious to the public, and ruin that most important branch of trade, our whale fisheries. Being enabled, by means of this bill, to ruin the whale fisheries, and destroy all competition with regard to the supply of gas, this company might then impose upon the public what charges they pleased: and the original object for which they were incorporated, that of affording a cheaper and better light, would be altogether set aside. He did not expect that the House would suffer the bill to be read a third time; but if it should be, he should then move a clause restricting this company, in their charges for lighting the public lamps, to a schedule of prices to be annexed to the bill.

The Earl of *Limerick* defended the bill, contending that the furnishing the beautiful and excellent light which was produced from gas, was a beneficial public object.

The Earl of *Harrowby* observed, that although the bill did not in terms give a monopoly, yet the effect of it, by giving the means of raising an additional capital of 200,000*l.* would be in all probability to enable them to destroy competition, and secure to themselves a monopoly. He did not make this objection with a view to the whale fisheries, admitting that they ought not to stand in the way of improvements in science, but with a view to this beautiful and excellent light itself, which was now furnished in different quarters of the town by private companies, and this corporation would by this bill possess the means of extinguishing those private companies, and securing to themselves a monopoly.

The Earl of *Longford* defended the bill, upon the grounds of the public advantages that would be derived from the exertions of this company.

The House divided: Contents, 16; Not-Contents, 15: Majority 1. Another division took place, on the clause proposed by lord Lauderdale:—Contents, 10; Not-contents, 16. The bill was then passed.

HOUSE OF COMMONS.

Monday, July 1.

Police of the Metropolis.] Mr. *Bennet* brought up the report of the committee on the Police of the Metropolis. He observsd that the labours of the committee had produced much useful information, and he trusted that in the next session the subject would be treated by the House with the attention which it merited. One of the branches of the police which was deserving of particular attention, was the manner in which the licences were granted to public-houses, for though the magistrates in general were men remarkable for uprightness, yet in the district of Whitechapel it appeared that there was an improper connexion between some of the magistrates and the brewers. As to the increase of crimes in the metropolis, it certainly appeared that the numbers of commitments in 1313 to the different prisons was 9,000, and in 1815 they were 10,500. It was worthy of remark, that 800 persons were committed to Clerkenwell prison in one year, chiefly for assaults. In the prisons, it was to be regretted that there was no classification of the different offenders. From the evidence, on the whole, it appeared that there was an amelioration in the general state of manners and morals of the lower orders of late years, though there were now 20,000 persons in the extremest state of want.

General *Thornton* was happy to hear the hon. gentleman bear testimony to the excellent conduct of the magistrates, many of whom, he assured the House, had shown the greatest benevolence, in giving the poor good advice.

Mr. *Butterworth* gave his testimony to the exertions of the committee. He hoped, also, that the bill for regulating stage-coach driving would be renewed next session. Great abuses had occurred on the Leicester road, where a coach was shattered to pieces, and four persons killed.

The *Attorney General* could not promise any thing for himself next session without assistance and support, as this, his first attempt at legislation, had proved so unsuccessful; but something must be done in this matter, for the security and the satisfaction of the public.

HOUSE OF LORDS.

Tuesday, July 2.

The Speaker's Speech to the Prince Regent on presenting the Appropriation Bill.] At two o'clock his royal highness the Prince Regent entered the House of Lords with his usual state, the sword of state borne by the duke of Wellington, and attended by the marquis of Cholmondeley, the marquis of Winchester, lord Gwydir, &c. &c. The Prince Regent being seated on the throne, the gentleman usher of the black rod, was sent to require the attendance of the Commons. Shortly afterwards the Speaker, and a great number of members, came to the bar.

The *Speaker* addressed the Prince Regent as follows:—

"May it please your royal highness,

"At the close of a laborious session, we, his majesty's most faithful Commons, attend upon your royal highness, with our concluding Bill of Supply.

"During the course of our deliberations, we have, in obedience to your royal highness's commands, examined the various treaties and conventions which have been laid before us. We have there seen the tranquillity of Europe re-established upon a basis of legitimate government, by the same presiding counsels which planned the bold, provident, and comprehensive measures, commenced in the negociations at Chaumont, matured in the congress at Vienna, and completed by the peace of Paris. We have also seen the wise and generous policy of the allied powers, who, disclaiming all projects of dismembering the great and ancient monarchy of France, have been contented to adopt such precautionary measures as might effectually protect the world from a renewal of its former sufferings. And we have rejoiced more especially that this important charge has been confided, by common consent, to the same victorious commander, whose triumphs have so mainly contributed to the glory of their country, and the general happiness of mankind.

"In our domestic concerns, the great and sudden transition from a state of extended warfare to our present situation, has necessarily produced many serious evils and difficulties, to which we have not failed to apply our most anxious attention. To the distresses of the agricultural interest we have rendered such immediate relief as could be devised, hoping also that they may daily decrease, and trusting much to the healing influence of time. For the benefit of commerce, and the general convenience of all ranks of his majesty's subjects, a new coinage has been provided; and in various ways, by positive enactments, or preparatory inquiries, we have devoted much of our labours to the general improvement of the condition of the people, their relief, and their instruction. In settling our financial arrangements, the expenditure of the services of our civil and military establishments has been considered, with reference to the pecuniary resources of the year; and amongst the most important of our measures, as affecting the joint interests of Great Britain and Ireland, is the law which we have passed for consolidating the revenues of both portions of the United Kingdom.

"But, Sir, in the midst of all our various and important concerns, domestic and foreign, there are none in which the nation ever takes a deeper interest than those which regard the splendour and dignity of the throne, and the happiness of the royal house which reigns over us. Impressed with these sentiments, we have endeavoured, by a new arrangement of the civil list, to separate those revenues which are specially assigned to the support of the royal state, placing them henceforth beyond the reach of any contingent charges, which more properly belong to other and different branches of the public service. And in the same spirit of loyal and affectionate attachment we have hailed with heartfelt satisfaction, the auspicious marriage by which the paternal choice of your royal highness has gratified the universal wishes of the nation, and has adopted into the family of our sovereign, an illustrious prince, whose high qualities have already endeared him to the people amongst whom he has fixed the future destinies of his life.

"These, Sir, are the objects to which our thoughts and labours have been chiefly directed; and for completing the grants which it is our special duty and privilege to provide, we now present to your royal highness a bill, intituled, 'An act for 'granting to his majesty a certain sum out 'of the consolidated fund of Great Britain, 'and for applying certain monies therein 'mentioned for the service of the year '1816, and farther appropriating the sup-'plies granted in the session of parliament,' to which bill, with all humility, we intreat his majesty's royal assent."

The royal assent was then given to the appropriation bill, the pillory abolition bill, and several other bills.

THE PRINCE REGENT'S SPEECH AT THE CLOSE OF THE SESSION.] His royal highness the Prince Regent then made the following Speech to both Houses:

"My Lords and Gentlemen;

"I cannot close this session of parliament without again expressing my deep regret at the continuance of his majesty's lamented indisposition.

"The cordial interest which you have manifested in the happy event of the marriage of my daughter the princess Charlotte with the prince of Saxe Cobourg, and the liberal provision which you have made for their establishment, afford an additional proof of your affectionate attachment to his majesty's person and family, and demand my warmest acknowledgments.

"I have the pleasure to acquaint you, that I have given the royal consent to a marriage between his majesty's daughter the princess Mary and the duke of Gloucester; and I am persuaded that this event will be highly gratifying to all his majesty's subjects.

"The assurances which I have received of the pacific and friendly disposition of the powers engaged in the late war, and of their resolution to execute inviolably the terms of the treaties which I announced to you at the opening of the session, promise the continuance of that peace so essential to the interests of all the nations of the world.

"Gentlemen of the House of Commons;

"I thank you for the supplies which you have granted for the service of the year;

and I am sensible of the beneficial effects which may be expected to result from the salutary system of making provision for them in a way calculated to uphold public credit.

" The arrangements which you have adopted for discharging the incumbrances of the civil list, and for rendering its future income adequate to its expenditure, by relieving it from a part of the charge to which it was subject, are in the highest degree gratifying and satisfactory to me; and you may be assured that nothimg shall be wanting on my part to give full effect to those arrangements.

" The provision you have made for consolidating the revenues of Great Britain and Ireland, will, I doubt not, be productive of the happiest consequences in cementing and advancing the interests of the united kingdom; and must afford an additional proof of the constant disposition of parliament to relieve the difficulties and promote the welfare of Ireland.

" My Lords and Gentlemen ;

" The measures to which I have been under the necessity of resorting, for the suppression of those tumults and disorders which had unfortunately occurred in some parts of the kingdom, have been productive of the most salutary effects.

" I deeply lament the continuance of that pressure and distress which the circumstances of the country, at the close of so long a war, have unavoidably entailed on many classes of his majesty's subjects.

" I feel fully persuaded, however, that after the many severe trials which they have undergone in the course of the arduous contest in which we have been engaged, and the ultimate success which has attended their glorious and persevering exertions, I may rely with perfect confidence on their public spirit and fortitude in sustaining those difficulties, which will, I trust, be found to have arisen from causes of a temporary nature, and which cannot fail to be materially relieved by the progressive improvement of public credit, and by the reduction which has already taken place in the burthens of the people."

The Lord Chancellor then, by the Prince Regent's command, said:—" My lords, and gentlemen ;—It is the will and pleasure of his royal highness the Prince Regent, acting in the name and on the behalf of his majesty, that this parliament be prorogued to Saturday the 24th of August next, to be then here holden; and this parliament is accordingly prorogued to Saturday the 24th of August next."

HOUSE OF COMMONS.

Tuesday, July 2.

VOTE OF THANKS AND CONGRATULATION TO THE DUKE OF WELLINGTON.] Lord *Castlereagh* rose, for the purpose of calling the attention of the House to the recent return of the duke of Wellington, and to suggest the course which he thought it would be proper for them to pursue on this occasion. It had been thought necessary by that House, at the close of the former war, to send to his grace a deputation of its members, on his return, to express to him their gratitude for those glorious exertions which had so largely contributed to the happy termination of that arduous contest. He wished the House now to take the opportunity of again marking their deep sense of the inestimable services he had rendered his country, and, he might add, of the blessings which he (the duke of Wellington) had conferred upon mankind in general. If it should happen, from the arrival of his grace so close upon the termination of the session, that the deputation could not fulfil the object which the House had in view, they would at least have the satisfaction of recording in their journals the deep sense which they had of those important services to which he had alluded, and which could never be effaced from the page of history. He moved, " That the thanks of this House be given to field marshal the duke of Wellington, on his return from the continent, for his eminent and unremitting services to his majesty and to the public, especially in the ever-memorable battle of Waterloo; and that a committee of this House do wait upon his grace to communicate the same, and to offer to his grace the congratulations of this House on his arrival in this kingdom."

The motion was agreed to *nem. con.*, and a committee was forthwith appointed.

About two o'clock the usher of the black rod summoned the House to the House of Peers. On the return of the Speaker to the House, he read a copy of the Prince Regent's speech to the members round the table, after which he made his bow, and the members withdrew.

I.—PUBLIC INCOME OF GREAT BRITAIN,

FOR THE YEAR ENDING FIFTH JANUARY, 1816.

An Account of the ORDINARY REVENUES *and* EXTRAORDINARY RESOURCES *constituting the* PUBLIC INCOME *of* GREAT BRITAIN.

HEADS OF REVENUE.	GROSS RECEIPT: Total Sum to be accounted for.			Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenue.			NET PRODUCE applicable to National Objects, and to Payments into the Exchequer.		
Ordinary Revenues.									
Permanent and Annual Taxes.	£.	s.	d.	£.	s.	d	£.	s.	d.
CUSTOMS	11,807,322	12	1¾	2,727,767	18	6¾	9,079,554	13	7
EXCISE	23,370,055	8	3¼	2,831,026	13	4¼	20,539,028	14	11
STAMPS	6,492,804	14	10	353,219	6	0¾	6,139,585	8	9¼
LAND AND ASSESSED TAXES	7,911,938	4	9¾	302,921	13	10¼	7,609,016	10	11½
POST OFFICE	2,349,519	0	10¼	593,620	18	9	1,755,898	2	1¼
PENSIONS AND SALARIES 1*s*. in the £.	20,280	19	1	372	3	11	19,908	15	2
PENSIONS AND SALARIES 6*d*. in the £.	11,776	6	6	638	6	3	11,138	0	3
HACKNEY COACHES	29,283	14	10½	4,562	5	2	24,721	9	8½
HAWKERS AND PEDLARS	21,591	10	2¾	3,075	0	5½	18,516	9	9¼
Total Permanent and Annual Duties	52,014,572	11	7¼	6,817,204	6	4½	45,197,368	5	2¾
Small Branches of the Hereditary Revenue.									
ALIENATION FINES	11,767	15	5	1,147	8	0	10,620	7	5
POST FINES	6,380	4	6½	95	9	4	6,284	15	2½
SEIZURES	9,445	7	2	-	-		9,445	7	2
COMPOSITIONS AND PROFFERS	626	15	4	-	-		626	15	4
CROWN LANDS	145,146	13	8¼	2,385	4	6¼	142,761	9	2
Extraordinary Resources.									
War Taxes.									
CUSTOMS	2,841,406	1	7	560,771	3	11	2,280,634	17	8
EXCISE	6,737,028	19	0½	69,252	0	6½	6,667,776	18	6
PROPERTY TAX	15,277,499	9	4½	299,250	11	2	14,978,248	18	2½
ARREARS OF INCOME DUTY, &c.	313	19	1¼	5	13	3½	308	5	9¾
Lottery, Net Profit (of which one third part is for the Service of Ireland)	327,906	13	4	23,255	2	10	304,651	10	6
Monies paid on Account of the Interest of Loans raised for the Service of Ireland	3,981,783	6	2	-	-		3,981,783	6	2
On Account of Balance due by Ireland, on joint Expenditure of the United Kingdom	6,107,986	12	3	-	-		6,107,986	12	3
On Account of the Commissioners, appointed by Act 35 Geo. 3, cap. 127, and 37 Geo. 3, cap. 27, for issuing Exchequer Bills for Grenada, &c.	25,000	0	0	-	-		25,000	0	0
On Account of the Interest, &c. of a Loan granted to the Prince Regent of Portugal	28,585	1	6	-	-		28,585	1	6
Surplus Fees of Regulated Public Offices	98,750	13	2¼	-	-		98,750	13	2¼
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	107,836	16	10¼	-	-		107,836	16	10¼
Total, independent of Loans	87,722,037	0	2¼	7,773,366	19	11¾	79,948,670	0	2½
LOANS paid into the Exchequer (including the Amount of those raised for the Service of Ireland)	39,421,959	2	0	-	-		39,421,959	2	0
GRAND TOTAL	127,143,996	2	2¼	7,773,366	19	11¾	119,370,629	2	2½

An ACCOUNT *of the Gross and Net Produce of the* DUTIES *arising from* STAMPS *in* ENGLAND, *in the Year ending 5th January* 1816.

	GROSS PRODUCE.			Discounts and Parliamentary Allowances.			Charges of Management and Incidents.			Parchment, Paper, and Blanks, for the use of the Country.			Drawbacks and Returns of Duty.			NET PRODUCE.			Payments into the Exchequer.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Deeds, Law Proceedings, and other written Instruments (except Legacy Receipts, Probates, Administrations and Testamentary Inventories, Bills of Exchange, and Promissory Notes and Receipts), Almanacks, and on Licences to Pawnbrokers and Dealers in Thread Lace	2,104,534	18	10¾	17,136	8	0	63,563	1	6¼	35,836	16	4	10	0	0	1,987,988	13	0½	1,971,181	17	7
Legacies	726,219	19	8	-	-	-	24,309	17	3	-	-	-	2,254	4	3	699,655	18	2	686,224	3	1¼
Probates, Administrations, and Testamentary Inventories	504,959	9	5	5,448	18	6	11,322	16	8½	-	-	-	-	-	-	488,187	14	2½	491,834	7	1¾
Bills of Exchange and Promissory Notes	719,595	9	6	6,101	17	2	17,326	6	1¾	-	-	-	-	-	-	696,167	6	2¼	689,020	3	11
Receipts	195,809	19	0¾	9,554	5	3	4,897	4	7¾	-	-	-	-	-	-	181,358	9	2	179,077	7	3½
Newspapers	363,414	3	5	62,195	8	11	4,179	5	1	-	-	-	-	-	-	297,039	9	5	297,039	9	5
Medicine and Medicine Licences	43,044	0	6	4,680	16	9	735	8	2¼	-	-	-	-	-	-	37,627	15	6¾	37,100	18	4
Fire Insurances	501,955	0	7	25,005	9	9	8,909	4	10¼	-	-	-	-	-	-	468,040	5	11¾	467,892	3	7
Cards	23,121	17	6	342	7	6	265	17	9	-	-	-	-	-	-	22,513	12	3	22,513	12	3
Gold and Silver Plate	78,120	1	2¼	1,943	14	4¼	1,262	14	10¼	-	-	-	7,085	2	6	67,828	9	5¾	67,868	12	10
Dice	1,607	0	0	-	-	-	18	9	6	-	-	-	-	-	-	1,588	10	6	1,588	10	6
Pamphlets	484	7	2	-	-	-	6	1	8¾	-	-	-	-	-	-	478	5	5¼	478	11	10
Advertisements	110,941	6	6	-	-	-	3,667	17	6¾	-	-	-	-	-	-	107,268	0	11¼	107,129	16	10¼
Stage Coaches	210,630	1	11¼	-	-	-	5,307	11	7	-	-	-	-	-	-	205,322	10	4¼	203,206	6	0¾
Post Horses	219,546	0	0	-	-	-	2,524	15	6	-	-	-	-	-	-	217,021	4	6	217,021	4	6
Race Horses	877	16	0	42	17	7	42	8	4½	-	-	-	-	-	-	792	10	0½	738	3	2½
	5,804,861	11	4	132,452	3	9¼	148,339	1	3	35,836	16	4	-	-	-	5,478,878	15	2¾	5,439,915	8	5
Lottery	4,662	1	8	-	-	-	700	15	8	-	-	-	-	-	-	3,961	6	0	3,961	6	0

An ACCOUNT of the Gross and Net Produce of the DUTIES arising from STAMPS in SCOTLAND, in the Year ending 5th January 1816.

	GROSS PRODUCE.			Discounts and Parliamentary Allowances.			Drawback on Plate.			Charges of Management and Incidents.			Returns of Duty.			NET PRODUCE.			Payments into the Exchequer.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Deeds, Law Proceedings, and other written Instruments (except Legacy Receipts, Probates, Administrations, and Testamentary Inventories, Bills of Exchange, and Promissory Notes and Receipts) Almanacks, and on Licences to Pawnbrokers and Dealers in Thread Lace	187,296	5	2½	60	2	4½	-		-	8,682	10	11	-		-	178,553	11	11	176,524	15	9
Legacies	39,885	15	5	-	-		-		-	3,009	5	6	33	5	9	36,843	4	2	37,710	0	0
Probates, Administrations, and Testamentary Inventories	26,757	13	0	-	-		-		-	1,480	0	0	484	0	0	24,793	13	0	26,990	0	0
Bills of Exchange and Promissory Notes	121,863	14	7	-	-		-		-	4,835	5	5	-		-	117,028	9	2	110,670	0	0
Receipts	14,480	4	6	-	-		-		-	868	12	0	-		-	13,611	12	6	12,490	0	0
Newspapers	20,281	12	10½	3,614	0	3	-		-	1,067	8	8½	-		-	15,600	3	11	15,600	3	11
Medicine and Medicine Licences	410	4	3	-	-		-		-	16	0	8	-		-	394	3	7	460	0	0
Fire Insurances	16,670	11	4	833	9	7	-		-	8	1	11	-		-	15,828	19	10	15,840	0	0
Cards	-	-		-	-		-		-	-	-		-		-	-	-		-	-	
Gold and Silver Plate	4,031	13	6½	100	12	7½	72	7	6	3	0	0	-		-	3,855	13	5	3,960	0	0
Dice	-	-		-	-		-		-	-	-		-		-	-	-		-	-	
Pamphlets	6	2	0	-	-		-		-	-	-		-		-	6	2	0	6	2	0
Advertisements	14,017	7	0	-	-		-		-	736	11	11	-		-	13,280	15	1	13,280	15	1
Stage Coaches	12,978	8	5	-	-		-		-	629	14	5	-		-	12,348	14	0	11,940	0	0
Post Horses	-	-		-	-		-		-	-	-		-		-	-	-		-	-	
Race Horses	29	8	0	1	4	9	-		-	-	-		-		-	28	3	3	28	3	3
	458,709	0	1½	4,609	9	7	72	7	6	21,336	11	5½	517	5	9	432,173	5	10	425,500	0	0

An Account of the GROSS *and* NET PRODUCE *and Payments into the Exchequer, of the* REVENUE *under the Management of the Commissioners of* TAXES *in* ENGLAND *and* WALES, *in the Year ending 5th January* 1816.

TAXES.	GROSS PRODUCE, being the Gross Receipt, 1815.			Advances and Disbur ements under the authority of various Acts of Parliament.				Charges of Management.			NET PRODUCE, being the Payments into the Exchequer.				Total of Payments, Advances, and Disbursements, and Charges of Management.		
	£.	s.	d.		£.	s.	d.	£.	s.	d.		£.	s.	d.	£.	s.	d.
Land Tax	1,166,163	17	6¾	Militia and Deserters Warrants	54,927	11	9½	35,327	0	7¾	Land Tax	1,062,940	17	11½	1,166,163	17	6¾
				Volunteers	1,982	11	5										
				Defence Acts	864	4	5										
				Army of Reserve	3,799	16	11½										
				Expenses, under Land Tax Redemption Acts	6,321	14	4½										
Assessed Taxes	6,107,170	14	3	-	-		-	253,479	17	6½	Assessed Taxes	5,853,690	16	8½	6,107,170	14	3
Property Tax	13,640,347	16	0½	-	-		-	278,347	8	11	Property Tax	13,361,973	7	1½	13,040,347	16	0½
Aid and Contribution	173	17	5¾	-	-		-	4	11	8	Aid and Contribution	169	5	9¾	173	17	5¾
Income Tax	40	1	7½	-	-		-	1	1	7½	Income Tax	39	0	0	40	1	7½
Totals	20,913,895	6	11½	-	67,895	18	11½	567,187	0	4¾		20,278,813	7	7¼	20,913,896	6	11½

The same for SCOTLAND.

TAXES.	GROSS PRODUCE			Advances and Disbursements				Charges of Management			NET PRODUCE				Total		
Land Tax	29,810	5	0	Militia and Deserters, &c.	5,532	6	11	-		-	Land Tax	21,310	3	11	29,810	5	0
				Volunteers	10	15	8										
				Defence Acts	351	0	5										
				Army of Reserve	2,943	15	6										
				Population Act	13	3	0										
				Expenses under Land Tax Redemption Acts	-	-											
Assessed Taxes	393,854	19	5	Militia and Deserters, &c.	6,461	6	4	14,114	15	8	Assessed Taxes	361,300	0	0	393,854	19	5
				Volunteers, Defence, &c.	54	13	4										
				Augmentation of Stipends to Scotch Clergy	9,073	3	8										
				Commissioners for the Highland Roads	2,500	0	0										
Property Tax	997,476	2	3	-	-		-	20,876	2	3	Property Tax	956,600	0	0	977,476	2	3
Aid and Contribution	-	-		-	-		-	-	-		Aid and Contribution	-	-		-	-	
Income Tax	100	0	0	-	-		-	-	-		Income Tax	100	0	0	100	0	0
Totals	1,401,241	6	8	-	26,940	4	10	34,990	17	11		1,339,310	3	11	1,401,241	6	8

The Gross and Net Produce and Payments into the Exchequer, of the Revenue arising from the POST OFFICE *in* ENGLAND *and* SCOTLAND *respectively, for the Year ending 5th of January* 1816; *Likewise an Account of the* PENSIONS *and* PARLIAMENTARY GRANTS, *paid out of the Revenue of the Post Office.*

	GROSS PRODUCE.			Management.			Returns.			Packet Establishment.			Captured and Extra Packets.			Irish, with £.9,000 per ann.			Irish Inland Postage.			NET.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Inland	1,610,250	8	7	325,887	17	9	55,872	18	0	14,206	14	11	54,042	19	11	-	-		-	-		1,160,239	18	0
Foreign	221,467	19	2	28,594	17	5	1,794	6	0	26,070	14	1	36,800	0	0	-	-		-	-		128,208	1	8
Two-penny Post	96,089	5	11	36,291	10	2	-	-		-	-		-	-		-	-		-	-		59,797	15	9
Scotland	202,326	4	1	40,961	10	0	12,078	0	9	-	-		-	-		-	-		-	-		149,286	13	4
Ireland	59,122	5	8	-	-		3,423	15	7	-	-		-	-		12,210	13	8	18,554	0	10	24,933	15	7
TOTAL	2,189,256	3	5	431,735	15	4	73,169	0	4	40,277	9	0	90,842	19	11	12,210	13	8	18,554	0	10	1,522,466	4	4

Payments, paid into the Exchequer by the Receiver General.			Parliamentary Grants,			Total Exchequer Payments, and Parliamentary Grants.			Edinburgh Remittances.			
£.	s.	d.	£.	s.	d.	£.	s.	d.		£.	s.	d.
1,541,000	0	0	13,700	0	0	1,554,700	0	0	5th April 1815	40,549	7	6
									5 July	39,448	16	0
									10 October	34,784	10	3
									5 January 1816	36,019	19	0
										150,802	12	9

II.—CONSOLIDATED FUND AND PERMANENT TAXES.—INCOME AND CHARGE, 1816.

INCOME.		£.	s.	d.
CUSTOMS. Consolidated, after reserving the sum of £.105,000 per annum, to be carried to Duties pro Anno 1809, per act 49 Geo. 3	£.3,752,940 16 4½			
Isle of Man Duties	9,501 9 5			
Quarantine Duty	18,149 2 8½			
Canal and Dock Duty	30,841 9 7			
		3,811,432	18	1
EXCISE. Consolidated, after reserving the several Sums carried per Acts 45 and 46 Geo. 3, cap. 44, and 31, to Duties pro Annis 1805 and 1806		15,604,158	0	0
STAMPS. Consolidated, after reserving as directed per Act 48, 50, and 55 Geo. 3		3,987,134	18	5
INCIDENTS		6,347,422	18	4½
Surplus Duty on Sugar, Malt, and Tobacco, annually granted		1,248,648	19	6
Ditto Annual Malt, Anno 1813, and 1814		552,419	0	0
Pensions, Offices, and Personal Estates, 1811, 1812, 1813, 1814		34,460	18	6
Arrears of 4*s.* Aid, Land Taxes, Anno 1799 to 1815		1,045,536	1	6¼
Ditto Income Duty, Anno 1799, 1800, and 1801		139	0	0
Voluntary Contributions 1798		169	5	9¾
Money reserved on Account of Nominees appointed by the Lords of the Treasury, in Tontine, Anno 1789		23,634	16	9¼
Monies paid by Divers Persons		1,888,842	7	9¾
Total Income of Duties applicable to paying the Charge prior to 1806, and the Incidental Charges as they stood on the 5th of January 1816		34,543,999	4	9½

CHARGE.	Actual Payment out of the Consolidated Fund, in the Year ended 5th January 1816. £.	s.	d	Future Annual Charge upon the Consolidated Fund, as it stood on 5th January 1816. £.	s.	d.
Total Charge for Debt created prior to 5th January 1806	21,966,420	16	0½	20,640,015	9	10
CIVIL LIST.						
For the Support of His Majesty's Household, per Act 17 Geo. 3	898,000	0	0	898,000	0	0
Ditto 44 Geo. 3	60,000	0	0	60,000	0	0
Ditto 52 Geo. 3	70,000	0	0	70,000	0	0
COURTS OF JUSTICE.						
Judges of England and Wales, in augmentation of their Salaries	13,050	0	0	13,050	0	0
Deficiencies of Judges Salaries' in England	13,174	17	1½	Uncertain.		
Additional Salaries to the Welsh Judges	3,200	0	0	3,200	0	0
Aaron Graham, Esq. Inspector of Prisons for Felons	87	10	0	To cease.		
John Henry Capper, Esq. Ditto	87	10	0			
John Baldwin, Esq. Receiver of the Seven Police Offices	21,036	9	10	Uncertain.		
Patrick Colquhoun, Esq. Ditto Thames Police Office	6,347	11	11			
VICE ADMIRALTY JUDGES:—						
J. W. Compton, Esq. V. Adm. Judge at Barbadoes	2,787	4	8	To cease.		
Alexander Croke, Esq. Ditto ... Nova Scotia	2,000	0	0	2,000	0	0
John Sewell, Esq. Ditto ... Malta	2,196	16	2	To cease.		
Henry John Hinchliffe, Esq. Ditto ... Jamaica	2,000	0	0	2,000	0	0
William Territt, Esq. Ditto ... Bermudas	3,000	0	0	2,000	0	0
Sheriffs of England and Wales	4,000	0	0	4,000	0	0
MINT.						
Master of His Majesty's Mint in England	13,800	0	0	13,800	0	0

DUTIES pro Anno 1806.	
Duty on Wine, Anno 1803, 1804, and on Tea, per Act 46 Geo. cap. 38	381,462 0 0
British Spirits, Anno 1806	531,700 0 0
Reserved out of Consolidated Assessed Taxes, in lieu of £.10 per cent. on Ditto, per Act 48 Geo. 3 ...	548,108 5 0
Reserved out of Consolidated Stamps, per Act 48 Geo. 3	6,917 1 4
Interest, Management, and on Loan for Ireland	133,773 3 3
TOTAL	1,601,960 9 7
DUTIES pro Anno 1807.	
Brought from War Taxes to pay the Charge of Loan	1,200,000 0 0
Interest, Management, &c. on Loan for Ireland	222,724 17 1
TOTAL	1,422,724 17 1
DUTIES pro Anno 1808.	
Surplus of Consolidated Duties on Assessed Taxes ...	147,786 6 0
Surplus of Consolidated Stamps..	150,000 0 0
Interest, Management, &c. on Loan for Ireland	148,626 14 10
TOTAL	446,413 0 10
TOTAL pro Anno 1809.	
Brought from Consolidated Customs	105,000 0 0
Ditto War Taxes to pay Charge of Loan	1,040,000 0 0
Charge of Loan for the Service of Portugal	28,585 1 6
Interest, Management, &c. on Loan for Ireland	177,180 5 0
TOTAL	1,350,765 1 11
DUTIES pro Anno 1810.	
Interest, Management, &c. on Loan for Ireland	305,632 0 10
Surplus Consolidated Stamps	1,459,994 14 2
TOTAL	1,765,626 15 0

[This Account continued over leaf.]

Ditto .... Scotland	1,200 0 0	Uncertain.
Thomas Morrison, Esq. Deficiency of Mint Fees	2,450 19 5	
SALARIES, ALLOWANCES, &c.		
The Speaker of the House of Commons, to complete his Salary of £.6,000 per annum	788 6 0	Uncertain.
Edward Roberts, Esq. an annual Sum, formerly paid to the Auditor	650 0 0	650 0 0
George Pepler, Esq. Inspector of Tontine Certificates	750 0 0	Uncertain.
Chief Cashier of the Bank, for Fees at sundry Public Offices	1,083 5 0	
For the Encouragement of the Growth of Hemp and Flax in Scotland	2,956 13 8	2,956 13 8
Messenger of the Great Seal, per Act 53 Geo. 3, cap. 89	520 0 0	520 0 0
COMMISSIONERS OF PUBLIC ACCOUNTS.		
William Mackworth Præd. Esq. Chairman	1,500 0 0	1,500 0 0
Sir Charles W. Rouse Boughton, Bart.	1,200 0 0	1,200 0 0
Francis Perceval Elliott, Esq	1,200 0 0	1,200 0 0
Richard Dawkins, Esq.	1,200 0 0	1,200 0 0
John Sargent, Esq.	1,200 0 0	1,200 0 0
John Anstey, Esq.	1,200 0 0	1,200 0 0
John Whishaw, Esq.	1,200 0 0	1,200 0 0
Salaries and Contingencies in the Office of said Commissioners	35,892 5 8	Uncertain.
COMMISSIONERS OF WEST INDIA ACCOUNTS.		
John Halkett, Esq. Chairman	1,500 0 0	1,500 0 0
James Chapman, Esq.	1,000 0 0	1,000 0 0
John Wilson, Esq.	1,000 0 0	1,000 0 0
Salaries and Contingencies in the Office of said Commissioners	5,992 19 5	Uncertain.
MISCELLANEOUS AND PENSIONS, (See Appendix C. No. V. Public Expenditure)	376,150 17 5¾	363,656 8 2
Total of Incidental Charges upon the Consolidated Fund, as they stood on the 5th January 1816	1,555,408 6 4¼	1,448,033 1 10

[This Account continued over leaf.]

DUTIES pro Anno 1811.		
Brought from War Taxes		466,000 0 0
British Spirits, 1811	£.526,840 10 9¼	
Foreign ditto	87,025 19 10¼	
		613,866 10 7½
TOTAL		1,079,866 10 7½
DUTIES pro Anno 1812.		
Duties taken from Consolidated Excise		678,038 0 0
Estimated Amount of the Additional Duty on the Postage of Leters by the said Act, cap. 88		327,306 1 1
Male Servants, Carriages, Horses for Riding, Ditto and Mules, Dogs, Horse Dealers' Licences, Game Certificates		476,047 0 6
Interest, Management, &c. on Loan for Ireland		308,722 13 1
TOTAL		1,790,112 14 8
DUTIES pro Anno 1813.		
Duty on French Wines		221 0 0
Permanent Duty on Customs		716,497 19 4¼
Interest, Management, &c. on Loan for Ireland		437,159 2 0
TOTAL		1,153,878 1 4¼
DUTIES pro Anno 1814.		
Brought from Money reserved in the Exchequer, being part of £.22,000 Annuity to his Royal Highness the Prince of Wales		22,000 0 0
Interest, Management, &c. on Loan for Ireland		419,118 10 11
TOTAL		441,118 10 11
DUTIES pro Anno 1815.		
Surplus of Consolidated Stamps		265,330 0 6
Interest, Management, &c. on Loan for Ireland		173,447 6 3
TOTAL		438,777 6 9
TOTAL INCOME of the CONSOLIDATED FUND, in the Year ended 5th January 1816		46,035,243 13 6¼

Debt incurred in respect of		
£.20,000,000, raised pro Anno 1806 £.	1,339,288 0 0	943,288 0 0
12,000,000 part of 14,200,000 ...Ditto......... 1807	1,435,522 15 2¼	1,265,804 13 8½
4,000,000 Exchequer Bills, funded pro 1808	878,055 2 11¾	878,055 2 11¾
7,932,100.......Ditto 1809	1,378,013 14 10¾	1,378,013 14 10¾
8,311,000.......Ditto 1810	1,276,589 10 2½	1,276,589 10 2½
7,018,700.......Ditto 1811	1,495,929 14 9	1,495,929 14 9
5,431,700.......Ditto 1812	2,215,632 7 4¾	2,216,397 13 3¼
12,000,000.......Ditto 1813	4,150,416 7 10¾	4,150,282 6 0¾
22,000,000.......Ditto 1814	3,648,389 13 0	3,264,806 16 0½
24,000,000.......Ditto 1815	2,050,891 16 3	4,988,395 14 9

RECAPITULATION.

Total Charge for Debt incurred prior to 1806	21,966,420 16 0½	20,640,015 9 10
Total of Incidental Charges, &c.	1,555,408 6 4¼	1,448,033 1 10
Total Charge for Debt incurred in the Year 1806	1,339,288 0 0	943,288 0 0
Ditto .... Ditto 1807	1,435,522 15 2¼	1,265,804 13 8½
Ditto .... Ditto 1808	878,055 2 11¾	878,055 2 11¾
Ditto .... Ditto 1809	1,378,013 14 10¾	1,378,013 14 10¾
Ditto .... Ditto 1810	1,276,589 10 2½	1,276,589 10 2½
Ditto .... Ditto 1811	1,495,929 14 9	1,495,929 14 9
Ditto .... Ditto 1812	2,215,632 7 4¾	2,216,397 13 3¼
Ditto .... Ditto 1813	4,150,416 7 10¾	4,150,282 6 0¾
Ditto .... Ditto 1814	3,648,389 13 0	3,264,806 16 0½
Ditto .... Ditto 1815	2,050,891 16 3	4,988,395 14 9
TOTAL CHARGE upon the CONSOLIDATED FUND in the Year ended 5th January 1816	43,390,558 4 11½	43,945,611 18 4

An Account of the Net Produce of all the PERMANENT TAXES *of* GREAT BRITAIN; *taken for Two Years, ending respectively the 5th January* 1815 *and 5th January* 1816.

		In the Year ended 5 Jan. 1815.			Do. 5th Jan. 1816.		
		£.	s.	d.	£.	s.	d.
CONSOLIDATED CUSTOMS		3,608,910	3	6½	3,857,940	16	4½
Ditto Ditto (ISLE OF MAN)		4,756	14	6	9,501	9	5
Ditto Ditto (QUARANTINE)		12,349	10	0¾	18,149	2	8½
Ditto Ditto (CANAL AND DOCK DUTY)		29,700	16	6½	30,841	9	7
Ditto Ditto (PERMANENT DUTY)		712,879	18	3¼	716,497	19	4¼
Ditto EXCISE		15,835,210	0	0	16,663,879	0	0
BRITISH SPIRITS	1806	314,700	0	0	531,700	0	0
Ditto Ditto	1811	718,674	0	0	526,840	10	9¼
FOREIGN Ditto	——	64,383	0	0	87,025	19	10¼
CONSOLIDATED STAMPS		5,598,574	11	8	3,338,219	3	10
Ditto Ditto	1815	-	-		2,527,196	4	7
LOTTERY LICENCES		3,216	11	3	3,961	6	0
LAND TAXES		1,080,610	19	9¼	1,045,536	1	6¼
INCIDENTS.							
Consolidated Letter Money		1,450,000	0	0	1,548,000	0	0
Hawkers and Pedlars		15,700	0	0	17,350	0	0
Seizures		7,497	11	5	9,445	7	2
Proffers		605	14	3	626	15	4
Compositions			16	8	——		
Fines and Forfeitures		611	3	0	228	15	3
Rent of Alum Mines		864	0	0	864	0	0
Alienation Duty		4,302	5	4	6,470	8	8
Hackney Coaches and Chairs	1711	10,210	0	0	9,720	0	0
Ditto Ditto	1784	13,520	0	0	13,130	0	0
Houses	1778	-	-	-		16	6
£.10. per Cent.	1793	1	2	0	5	11	3
Carriages	1798	-	-	-	21	0	0
Arrears of Assessed Taxes	——	30	5	10½	——		
Windows	1802	40	0	0	——		
Ditto	1804	1,147	1	3	196	12	11
Houses	——	1,777	3	7	27	7	10
Horses for Riding	——	1,072	8	10½	429	0	0
Ditto and Mules	——	1,343	9	2¼	146	0	0
Horse Dealers Licences	——	322	17	9	——		
Servants	——	1,312	1	0	63	1	9½
Hair Powder Certificates	——	502	10	6	18	17	9¼
Armorial Bearings	——	503	18	6	33	6	2¾
Carriages	——	2,109	1	4	221	13	6
Dogs	——	909	6	0	118	18	0
£.10. per Cent.	1806	341	19	11¾	37	16	1¼
Consolidated Assessed Taxes	1808	6,400,258	17	7	6,213,659	2	9¾
6*d*. per lib. on Pensions	1811	772	15	8½	——		
1*s*. Ditto on Salaries	——	180	1	6	——		
6*d*. Ditto on Pensions	1812	730	0	0	49	17	10
1*s*. Ditto on Salaries	——	600	0	0	417	5	10
6*d*. Ditto on Pensions	1813	6,700	0	0	800	0	0
1*s*. Ditto on Salaries	——	14,200	0	0	1,427	4	2
6*d*. Ditto on Pensions	1814	2,300	0	0	5,100	0	0
1*s*. Ditto on Salaries	——	1,900	0	0	14,000	0	0
6*d*. Ditto on Pensions	1815	-	-	-	2,550	0	0
1*s*. Ditto on Salaries	——	-	-	-	1,500	0	0
Windows	1766	-	-	-	2	15	0
Carts	1785	-	-	-	3	12	0
Servants	——	-	-	-	5	5	0
Surplus Duties Annually granted after discharging £.3,000,000. Exchequer Bills charged thereon.							
Sugar and Malt		471,250	0	1½	283,356	19	6
Additional Ditto		831,339	8	10	873,368	0	0
Tobacco		143,608	11	2½	91,924	0	0
Annual Malt		521,721	0	0	552,419	0	0
Land Tax on Offices, &c.		51,612	7	0	34,460	18	6
		37,945,864	4	0¾	39,039,488	12	11½

		In the Year ended 5 Jan. 1815.			Do. 5th Jan. 1816.		
		£.	s.	d.	£.	s.	d.
Duties Annually granted to discharge £.3,000,000. Exchequer Bills charged thereon.	Sugar and Malt.............	2,617,902	13	5½	2,470,362	2	9
	Additional Ditto	235,099	11	2	238,119	0	0
	Tobacco	244,799	8	9½	357,831	0	0
	Land Tax on Offices, &c...	-	-	-	16	18	4
		41,043,665	17	5¾	42,105,817	14	0½

III.

ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

HEADS OF THESE ACCOUNTS.

Arrears due on the 5th of January 1816, from the Officers of the Customs in England, &c.
Arrears due on Ditto, from the Officers of the Customs in Scotland, &c.
Arrears due on Ditto, from the Officers of Excise in England, &c.
Arrears due on Ditto, from the Officers of Excise in Scotland, &c.
Arrears due on Ditto, from the Distributers of Stamps in Great Britain, &c.
Balances in the Hands of the Distributers of Stamps in Great Britain, &c.
Arrears due on the 5th of January 1816, from the Receivers General of the Land and Assessed Taxes in Great Britain, &c.
Arrears due on the 5th January 1816, from the Officers of the Post Office in Great Britain, &c.
Balances in the Hands of the Deputy Postmasters in Great Britain, &c.
Arrears and Balances due on the 5th January 1816, from the Persons employed in receiving or collecting the Land Revenue of the Crown in England and Wales, &c.
List of Public Accountants, in respect of whom the execution of any Process or Proceeding hath been Controlled, Suspended, or Prevented, &c.
Accounts delivered into the Office of the Comptrollers of the Accounts of the Army, &c.
List of Officers and Departments whose Accounts are audited by the Commissioners for Auditing the Public Accounts.*
List of Accounts Delivered over by the late Commissioners for Auditing Public Accounts to the Commissioners appointed for the like purpose under the 46th Geo. 3; and of the Accounts since received into the Audit Office, Somerset-Place, or since received into the Office of the said Commissioners, which have *neither* been *Audited, Stated,* nor *Declared;*—completed to the 5th of January 1816.
List of the same which *have* been either *Stated*, or *Declared;* so far as any *Balances* appear to be now owing *to,* or *from,* the Public upon any such Accounts; completed to the 5th January 1816.

* These will be found at length in Volume XX. of this Work.

IV.—TRADE AND NAVIGATION OF GREAT BRITAIN.

An Account of the Official Value of all IMPORTS *into, and of all* EXPORTS *from* GREAT BRITAIN, *in the Years* 1814 *and* 1815 *respectively.*

YEARS.	OFFICIAL VALUE OF IMPORTS.*	OFFICIAL VALUE OF EXPORTS.			Declared Value of British and Irish Produce and Manufactures Exported.
		British and Irish Produce and Manufactures.	Foreign and Colonial Merchandize.	Total Exports.	
	£.	£.	£.	£.	£.
1814................	36,559,788	36,092,167	20,499,347	56,591,514	47,851,453
1815................	35,987,582	44,053,455	16,930,439	60,983,894	53,217,445

* Note.—It having hitherto been found impracticable to ascertain the Amount of the Imports of East India and China Produce for the Year ending the 5th January so early as the 25th March following, the Annual Returns of former Years have been incomplete as far as regards the Importations from India and China; but in order to supply this Deficiency in the only practicable manner, the Inspector General has incorporated in the above Return the Value of East India and China Produce imported in the Years ending the 10th October 1814 and 1815; with the Value of all other Articles of Foreign and Colonial Merchandize imported in the Years ending the 5th January 1815 and 1816 respectively.

An Account of the Number of SHIPS *and* VESSELS, *with the Amount of their* TONNAGE, *which have been Annually Built and Registered in the several Ports of the* BRITISH *Empire (except Ireland) in the Years* 1813, 1814, *and* 1815.

	VESSELS.	TONNAGE.
In the Year 1813	—	—
……… 1814	818	95,976
……… 1815	1,034	115,533

Note.—The Account for 1813 was consumed in the Fire at the late Custom-House. The Return made last Year for 1814 is now corrected, and the present Return for 1815 will be subject to a similar addition next Year, as many of the Returns from distant Ports are not yet received.

An Account of the Number of VESSELS, *with the Amount of their* TONNAGE, *and the Number of* MEN *and* BOYS *usually employed in Navigating the same, which belonged to the several Ports of the* BRITISH *Empire, on the 30th of September in the Years* 1813, 1814, 1815.

	1813.			1814.			1815.		
	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.
England	16,602	2,029,637	127,740	17,102	2,088,204	131,078	17,346	2,139,301	135,006
Scotland	2,713	234,383	16,933	2,783	241,578	17,900	2,863	254,926	18,629
Ireland	1,146	60,226	5,516	1,183	61,769	5,700	1,163	60,123	5,551
Plantations	2,689	165,591	11,676	2,868	202,795	14,729	2,991	203,445	14,706
Guernsey	84	9,755	869	65	6,928	529	61	6,662	508
Jersey	64	6,379	708	62	6,794	643	69	7,519	626
Isle of Man	342	8,513	2,115	355	8,897	2,207	367	9,300	2,283
Totals	23,640	2,514,484	165,557	24,418	2,616,965	172,786	24,860	2,681,276	177,309

An Account of the Number of VESSELS, *with the Amount of their* TONNAGE, *and the Number of* MEN *and* BOYS *employed in Navigating the same, (including their repeated Voyages) which entered* INWARDS *and cleared* OUTWARDS, *at the several Ports of* GREAT BRITAIN, *from, or to, all Parts of the World, between 5th January* 1813, *and 5th January* 1816.

	INWARDS.						OUTWARDS.					
	BRITISH.			FOREIGN.			BRITISH.			FOREIGN.		
	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN
England.												
1813	*—	—	—	—	—	—	—	—	—	—	—	—
1814	14,291	1,655,845	100,808	4,896	538,401	33,988	13,334	1,573,224	95,845	4,277	548,638	31,895
1815	14,735	1,761,453	104,690	4,527	610,612	35,568	14,739	1,805,409	109,567	4,089	642,238	35,256
Scotland.												
1813	1,987	192,947	13,235	179	29,298	1,664	2,868	268,169	18,967	177	28,630	1,560
1814	1,774	190,825	13,241	213	28,115	1,593	3,320	302,631	20,719	175	22,775	1,303
1815	2,116	231,697	15,337	295	45,659	2,531	3,242	300,267	20,483	196	29,452	1,645

* Note.—The Accounts for this Year were consumed in the Fire at the late Custom-House.

V.—PUBLIC EXPENDITURE.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
I. For Interest &c. on the Permanent Debt of Great Britain, Unredeemed; including Annuities for Lives and Terms of Years, (App. A. 1. 2.)	-	-		-	-		41,015,527	10	0¼
II. Interest on Exchequer Bills, (B)	-	-		-	-		3,014,003	3	8
III. Civil List, (C)	-	-		1,028,000	0	0			
IV. Other Charges on the Consolidated Fund. Courts of Justice	-	-		72,967	19	8½			
Mint	-	-		17,450	19	5			
Allow. to R. Fam.	-	-		366,660	11	5¾			
Sal. & Allowances	-	-		60,838	9	9			
Bounties	-	-		9,490	6	0			
							1,555,408	6	4¼
V. Civil Government of Scotland, (D)	-	-		-	-		126,613	11	9¼
VI. The other Payments in Anticipation of the Exchequer Receipts; (E) viz. Bounties for Fisheries, Manufactures, Corn, &c.	-	-		247,903	5	0¾			
Pensions on the Hereditary Revenue	-	-		27,700	0	0			
Militia, and Deserters' Warrants	-	-		88,514	9	5			
							364,117	14	5¾
VII. The Navy, (F)	-	-		9,082,602	11	10			
The Victualling Department	-	-		3,450,351	10	11½			
The Transport Service	-	-		3,840,916	4	8			
							16,373,870	7	5½
VIII. Ordnance, (G)	-	-		-	-		3,736,424	17	3
IX. The Army, (H) viz.									
Ordinary Services	-	-		21,333,831	10	8			
Extraordinary Services & Subsidies	-	-		12,873,553	0	0			
Deduct the Amount of Remittances and Advances to other Countries,				34,207,384	10	8			
included in Appendix I.	-	-		11,035,247	13	1¾			
							23,172,136	17	6¼
X. Loans, &c. to other Countries, (I) viz.									
Ireland	-	-		7,277,032	8	8			
Austria	1,796,229	8	8						
Russia	3,241,919	7	0½						
Prussia	2,382,823	14	8¼						
Hanover	206,590	6	4						
Spain	147,333	19	10						
Portugal	100,000	0	0						
Sweden	521,061	17	1						
France, Canton of Berne, Italy and Netherlands	78,152	14	2						
Minor Powers under Engagements with the Duke of Wellington	1,724,001	8	4						
Miscellaneous	837,134	17	0						
				11,035,247	13	1¾			
XI. Miscellaneous Services, (K) viz.							18,312,280	1	9¾
At Home	-	-		3,074,471	6	10¼			
Abroad	-	-		296,707	6	10½			
							3,371,178	13	8¾
Deduct Sums which, although included in this Account, form no part of the Expenditure of Great Britain, viz.							110,269,028	6	6¾
Loan, &c. for Ireland				7,277,032	8	8			
Interest, £.1. per Cent. and Management on Portuguese Loan, per Act 49 Geo. 3, c. 71				57,170	3	0			
Sinking Fund on Loan to the East India Company				126,531	13	0			
							7,460,734	4	8
							*102,808,294	1	10¾

* This includes the Sum of £.409,765 11*s.* 8*d.* for Interest, &c. paid on Imperial Loans.

APPENDIX (A. 1.) — *An Account of Monies paid out of the Receipt of his Majesty's Exchequer, in the Year ended 5th January* 1816, *towards satisfying the Charges of the* PUBLIC DEBT *of Great Britain and Ireland, Imperial, and Portuguese Loans.*

	INTEREST.			Annuities for Lives and for Terms of Years.			Charges of Management.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Permanent Funded Debt of Great Britain	22,950,529	13	8¾	1,272,376	6	9	232,581	19	9¾
.. Debentures	39,482	10	0	—			—		
Sums raised for the Service of Ireland	2,361,630	10	0	129,583	6	8	23,182	18	0
Imperial Loans	175,784	14	0	230,000	0	0	3,980	17	8
Portuguese Ditto	17,543	2	4	—			223	16	11
	25,544,970	10	0¾	1,631,959	13	5	259,969	12	4¾
Life Annuities	1,631,959	13	5						
Management	259,969	12	4¾						
	27,436,899	15	10½						
Towards the Redemption of the Public Debt; viz.									
Annual Issue, per Act 26 Geo. 3	1,000,000	0	0						
Ditto 42 Ditto	200,000	0	0						
Annuities for Terms of Years expired prior to 5th July 1802	79,880	14	6						
Ditto on Lives on which the Nominees are certified to have died prior to 5th July 1802, or that have been unclaimed for 3 Years	51,735	18	1						
Interest on Debt of Great Britain redeemed	2,097,592	17	2						
Ditto for Ireland	444,583	17	9						
Ditto for Imperial	49,294	6	0						
Ditto for Portugal	9,322	11	1						
£.1. per Cent. on Capitals created since 5th January 1793	5,074,310	18	3						
Ditto on outstanding Exchequer Bills and Debentures on 5th January 1815	277,500	0	0						
Part of Annual Appropriation for the Redemption of £.12,000,000 part of £.14,200,000, pro Anno 1807	626,255	10	5						
£.1. per Cent. on Capitals created by Loans raised for the Service of Ireland	915,384	19	8¼						
Ditto Imperial Loans	36,693	0	0						
Ditto Portuguese Ditto	30,000	0	0						
Ditto on Stock created by Loans 38, 39, 40, and 42, Geo. 3	867,963	0	0						
One-half the amount of the Interest on the Capitals in respect of the Excess of the Monies raised Anno 1813, above the Sum of £.13,013,914 per Act 53 Geo. 3, cap. 95	1,195,821	13	0						
Ditto...Ditto...raised Anno 1814, above the Sum of £.11,330,452 per Act 54 Geo. 3, cap. 86	165,078	16	10						
Ditto...Ditto...raised Anno 1815, above the Sum of £.11,324,760, per Act 55 Geo. 3, cap. 74	239,417	0	2½						
Interest for Stock transferred for Life Annuities	86,212	7	8						
	13,447,047	5	7¾						
From above	27,436,899	15	10½						
	40,883,947	1	6¼						

Note 1.—The gross Amount received and applied towards the Redemption of the Public Funded Debt is as follows:

	£	s.	d.	£	s.	d.
Money paid out of the Receipt of the Exchequer as herein stated				13,447,047	5	7¾
Add—The following Items in Appendix A. No. 2, but not in this Account, returned from Account of Life Annuities, the Nominees having died prior to its being set apart for Payment	3,313	4	3			
Life Annuities unclaimed for 3 Years and upwards, per Act 52 Geo. 3, cap. 129	1,735	11	3			
The Sum applied towards the Redemption of the Debt borrowed for the East India Company	126,531	13	0			
				131,580	8	6
TOTAL				£.13,578,627	14	1¾

Note 2.—Total Expenditure on Account of Interest and Charges of Management

	£	s.	d.
as within stated	27,436,899	15	10½
Ditto Reduction of National Debt, *Note* 1	13,578,627	14	1¾
	41,015,527	10	0¼

APPENDIX (A. 2.)—*Total Amount of the Sums actually received by the* COMMISSIONERS *for the Reduction of the* NATIONAL DEBT, *in the Year ended 5th Jan.* 1816.

GREAT BRITAIN.	£.	s.	d.	£.	s.	d.
Annual Issue, 26 Geo. 3	1,000,000	0	0			
Ditto additional ditto, 42 Geo. 3	200,000	0	0			
Exchequer Annuities for 99 and 96 Years, expired Anno 1792	54,880	14	6			
Short Annuities 1777 expired 1787	25,000	0	0			
Annuities on Lives expired prior to the 5th July 1802	21,146	6	1			
Annuities on Lives unclaimed for 3 Years before 5th January 1815, per 27 Geo. 3, cap. 13	30,589	7	0			
£.1. per Cent. per Annum on outstanding unprovided Exchequer Bills and Debentures	277,500	0	0			
£.1. per Cent. per Annum on Capitals created by Loans raised from 1793 to 1812, both inclusive	5,603,695	15	2			
Per Centage on Loans raised in 1813 to 1815	1,938,895	13	0¼			
Interest on Capitals purchased at 3 per Cent.	1,570,094	9	0			
Ditto 4 per Cent.	311,856	0	0			
Ditto 5 per Cent.	—					
Ditto on Capitals transferred for Life Annuities at 3 per Cent.	86,212	7	8			
Returned from the Account of Life Annuities, the Nominees having died prior to its being set apart for payment	3,313	4	3			
Life Annuities unclaimed for 3 Years and upwards, at 5th January 1815, per Act 52 Geo. 3, cap. 129	1,735	11	3	11,124,919	7	11¾
Annual Appropriation towards the Redemption of £.12,000,000 part of £.14,200,000 Loan 1807	626,255	10	4	841,897	18	6
Interest on Capital purchased at 3 per Cent.	215,642	8	2			
				11,966,817	6	5¼
Deduct, set apart from the Sinking Fund for the payment of Life Annuities, pursuant to 48 Geo. 3, cap. 142	-	-		190,076	0	10
				11,776,741	5	7¼
IRELAND.						
£.1. per Cent. per Annum, on Capitals created by Loans raised from 1797 to 1815, both inclusive	915,384	19	8¼			
Interest on Capital purchased at 3 per Cent.	444,583	17	9	1,359,968	17	5¾
IMPERIAL.						
£.1. per Cent. per Annum, on Capital created by Loan 1797	36,693	0	0			
Interest on Capital purchased at 3 per Cent.	49,294	6	0	85,987	6	0
PORTUGAL.						
Annual Appropriation towards the Redemption of Capital created by £.600,000, part of Loan 1809	30,000	0	0			
Interest on Capital purchased at 3 per Cent.	9,322	11	1	39,322	11	1
EAST INDIA COMPANY.						
Annual Appropriation towards the Redemption of Capital created by £.2,500,000, part of Loan 1812	110,820	0	0			
Interest on Capital purchased at 3 per Cent.	15,711	13	0	126,531	13	0
Applied to the Purchase of Stock	-	-		13,388,551	13	1
Ditto to the payment of Life Annuities	-	-		190,076	0	10
Gross Amount				13,578,627	13	11

APPENDIX (B.)—*Interest paid on* EXCHEQUER BILLS, *from the 5th of January* 1815 *to the 5th of January* 1816.

Acts under which issued.	Funds chargeable with the Principal.	Interest. £.	s.	d.
48 Geo. III. cap. 53.	Supplies, 1814	162,917	16	0
53 Ditto cap. 42.	Supplies, 1813	172,776	15	4
53 Ditto cap. 119.	Supplies, 1814	26,532	8	10
53 Ditto cap. 161.	Ditto	69,019	17	10
54 Ditto cap. 2.	Malt and Personal Estates, 1814	2,339	11	7
54 Ditto cap. 18.	Supplies, 1815	485,764	9	10
54 Ditto cap. 39.	Ditto	291,640	19	11
54 Ditto cap. 53.	Supplies, 1814	939,816	2	8
54 Ditto cap. 79.	Supplies, 1815	357,896	6	5
54 Ditto cap. 80.	Ditto	75,616	8	9
54 Ditto cap. 188.	Ditto	160,275	8	0
55 Ditto cap. 3.	Malt and Personal Estates, 1815	66,329	1	1
55 Ditto cap. 4.	Supplies, 1816	31,800	15	6
55 Ditto cap. 5.	Supplies, 1815	171,277	1	11
		£.3,014,003	3	8

APPENDIX (C)—*Charge upon the* CONSOLIDATED FUND, *in the Year ended the 5th Jan.* 1816; *exclusive of the interest of the* PUBLIC DEBT, *and of the Payments upon* EXCHEQUER BILLS:—*Distinguishing the same under the several Heads of Civil List—Courts of Justice, &c.—Mint—other Salaries and Allowances—and Bounties, &c.*

CIVIL LIST.

	£.	s.	d.
FOR THE SUPPORT OF HIS MAJESTY'S HOUSEHOLD,	1,028,000	0	0
COURTS OF JUSTICE, (See page xi)	72,967	19	8½
MINT, (See page xii)	17,450	19	5
SALARIES, ALLOWANCES, &c. (See page xiii.)	60,838	9	9

PENSIONS.

		£.	s.	d.
Earl Chatham, per Act	18 Geo. 3.	4,000	0	0
Lord Rodney	23	2,000	0	0
Lady Dorchester	26	1,000	0	0
John Penn, Esq.	30	3,000	0	0
Richard Penn, Esq.	—	1,000	0	0
Duke of Clarence	31	12,000	0	0
.... York	32	14,000	0	0
Duchess of York	—	4,000	0	0
Prince of Wales	35	65,000	0	0
Earl St. Vincent	38	2,000	0	0
Viscount Duncan	—	2,000	0	0
Duke of Kent	39	12,000	0	0
.... Cumberland	—	12,000	0	0
.... Richmond	—	6,333	6	8
Lord Erskine	—	4,000	0	0
Sir A. Macdonald	—	2,500	0	0
Sir James Mansfield	—	2,500	0	0
Sir Sydney Smith	41	1,000	0	0
Baroness Abercromby	—	2,000	0	0
Duke of Sussex	42	12,000	0	0
.... Cambridge	—	12,000	0	0
Lord Hutchinson	—	2,000	0	0
Sir James Saumarez	43	1,200	0	0
Lord Boringdon, et. al. for Lord Amherst	—	3,000	0	0
Duke of Athol	45	4,059	9	6¾
H. Moreton Dyer, Esq.	—	1,000	0	0
Lady Nelson	46	2,000	0	0
Sir Richard Strachan	—	1,000	0	0
Lady Collingwood	46	1,000	0	0
Hon. Sarah Ditto	—	500	0	0
Hon. Mary P. Ditto	—	500	0	0
John Sewell, Esq.	45	401	11	10¾
John W. Compton, Esq.	—	353	1	10¼
Sir J. T. Duckworth	46	1,000	0	0
Duke of Clarence	—	6,000	0	0
.... Kent	—	6,000	0	0
.... Cumberland	—	6,000	0	0
.... Sussex	—	6,000	0	0
.... Cambridge	—	6,000	0	0
Prs. Charlotte of Wales	—	7,000	0	0
Duke of Gloucester	—	14,000	0	0
Prs. Sophia of Ditto	—	7,000	0	0
Earl Nelson	—	5,000	0	0
Duke of Grafton	—	2,290	0	0
Lord Rodney	—	923	1	6
Viscount Lake	48	2,000	0	0
Earl of Wellington	50	2,000	0	0
Ditto	52	2,000	0	0
Hon. Jane Perceval	—	2,000	0	0
Prs. Augusta Sophia	—	9,000	0	0
Prs. Elizabeth	—	9,000	0	0
Prs. Mary	—	9,000	0	0
Prs. Sophia	—	9,000	0	0
Sir A. Macdonald	53	800	0	0
Sir James Mansfield	—	800	0	0
Prs. of Wales	54	35,000	0	0
Duke of Wellington	—	13,000	0	0
Lord Beresford	—	2,000	0	0
...... Combermere	—	2,000	0	0
...... Exmouth	—	2,000	0	0
...... Hill	—	2,000	0	0
...... Lynedock	—	2,000	0	0
...... Walsingham	—	2,500	0	0

Total ... £.366,660 11 5¾

MISCELLANEOUS.

	£.	s.	d.
Commissioners for Compensations to Persons sustaining Losses under the London Dock Act	464	6	0
Governor Cameron, for Bounty on the Seizure and Condemnation of two Slaves imported into the West Indies, contrary to the Provisions of Act 47 Geo. 3, cap. 36	26	0	0
To complete the Purchase of an Estate for Earl Nelson, per Act 53 Geo. 3	9,000	0	0

Total ... £.9,490 6 0

General Total ... £.1,555,408 6 4¼

APPENDIX (D)—*A List of all such Sum and Sums of Money as have been incurred, and become due upon his Majesty's Establishment for* CIVIL AFFAIRS *within* SCOTLAND, *bearing Date the 19th Day of June* 1761; *for one Year from 5th Jan.* 1815 *inclusive, to 5th Jan.* 1816, *exclusive*

Total Amount .... £.126,613 11 9

APPENDIX (E. 1.)—*An Account of the Amount of* BOUNTIES *paid in* GREAT BRITAIN, *distinguishing* ENGLAND *from* SCOTLAND, *out of the Revenue of Customs, between the 5th of Jan.* 1815 *and the 5th of Jan.* 1816; *being Payments in the Nature of Anticipations of Exchequer Issues.*

CUSTOMS.	ENGLAND.			SCOTLAND.			TOTAL.		
	£.	s.	d	£.	s.	d.	£.	s.	d.
Year ending 5th January 1816	125,211	1	1¼	78,192	6	11	203,403	8	0¼

APPENDIX (E. 2.)—*An Account, showing how the* PUBLIC MONIES *remaining in the Receipt of the Exchequer on the 5th of Jan.* 1815, *together with the Monies paid into the same during the Year ended 5th Jan.* 1816, *and the Monies paid out of the Net Produce of the Revenues of the said Year, in Anticipation of the Exchequer Receipt, have been actually applied so far as regards the Receipt of the Excise in* ENGLAND, *and can be ascertained at the Excise Office.*

	£.	s.	d.
PENSIONS, viz. 6th Head			
Duke of Grafton	9,000	0	0
Earl Cowper	2,000	0	0
Charles Boone, Esq. Moiety of the Earl of Bath's	1,500	0	0
Lord Melbourne	1,500	0	0
BOUNTIES.	14,000	0	0
On Salted Provisions exported, White Herrings taken, and Tonnage in the White Herring Fishery	20,605	9	7½
	£.34,605	9	7½

APPENDIX (E. 3.)—*An Account of the Amount of* BOUNTIES *paid out of the Revenues of Excise in* SCOTLAND *(being Payments in the Nature of Anticipations of Exchequer Issues) in the Year ended 5th January* 1816.

	£.	s.	d.
Paid in the Year ending 5th Jan. 1816	£.23,894	7	5

APPENDIX (E. 4.)—*An Account of* PENSIONS *paid by* PARLIAMENTARY GRANTS, *in the Year ended 5th Jan.* 1816.

	£.	s.	d.
His Grace the Duke of Marlborough	£.5,000	0	0
His Grace the Duke of Grafton	4,700	0	0
The Heirs of the late Duke of Schomberg	4,000	0	0
	£.13,700	0	0

APPENDIX (E. 5.)—*An Account of the Sums advanced by the Receivers General of Land and Assessed Taxes, on Account of* MILITIA *and* DESERTERS WARRANTS, *and other Disbursements, under various Acts of Parliament, in the Year ended the 5th Jan.* 1816.

HEADS OF SERVICE.	ENGLAND & WALES.			SCOTLAND.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Militia and Deserters Warrants	54,927	11	9½	11,993	13	3	66,921	5	0½
Volunteers	1,982	11	5	65	9	0	2,048	0	5
Defence Acts	864	4	5	351	0	5	1,215	4	10
Army of Reserve	3,799	16	11½	2,943	15	6	6,743	12	5½
Population Act	-	-		13	3	0	13	3	0
Augmentation of Stipends to Scotch Clergy (50 Geo. 3, cap. 84)	-	-		9,073	3	8	9,073	3	8
To the Commissioners for the Highland Roads (54 Geo. 3, cap. 104)	-	-		2,500	0	0	2,500	0	0
	61,574	4	7	26,940	4	10	88,514	9	5

APPENDIX (F.)—Navy Office—*An Account, showing the Amount of Monies received from his Majesty's Exchequer, for* Naval Services, *between the 5th January* 1815 *and the 5th January* 1816.

HEADS OF SERVICE.	SUM.	TOTAL.
NAVY.	£. s. d.	£. s. d.
Wages.		
Wages to Officers and Seamen - - - - -	2,838,500 0 0	
Half-pay to Sea Officers, and Bounty to Chaplains - -	501,500 0 0	
Wages to his Majesty's Dock and Rope Yards - - -	1,315,000 0 0	
General Services.		
For General Services, viz. Bills of Exchange, Imprests, Salaries, Pensions, Marines, &c. - - - - - -	1,515,000 0 0	
Building of Ships, purchase of Stores of every description, repairing Ships, purchase of Ships taken from the Enemy, Head Money, &c. paid in Bills at ninety days date - -	2,912,602 11 10	9,082,602 11 10
VICTUALLING.		
Provisions and all Sorts of Victualling Stores paid for in Bills at ninety days date - - - - - - -	2,708,427 17 1	
Widows Pensions - - - - - - - -	27,923 13 10½	
Bills of Exchange and Imprests - - - - -	550,000 0 0	
General Services, viz. Necessary and Extra Necessary Money and Contingencies - - - - - - -	164,000 0 0	3,450,351 10 11½
TRANSPORTS.		
Freight of Transports, Maintenance of Prisoners of War, and Expense of Sick and Wounded Seamen, paid for in Bills at ninety days date - - - - - - - -	2,573,916 4 8	
Bills of Exchange, and all Services paid for in Ready Money	267,000 0 0	3,840,916 4 8
		£.16,373,870 7 5½

APPENDIX (G.)—*An Account of Monies paid by the Office of* Ordnance *in the Year* 1815, *for Services at Home and Abroad respectively.*

	£.	s.	d.
For Services at Home - - - - - - -	3,215,750	3	0
For Services Abroad - - - - - - -	520,674	14	3
	*3,736,424	17	3
	772,532	17	6
	£.2,963,891	19	9

* The Sum of £.772,532 17*s.* 6*d.* being the value of Stores supplied by the Board of Ordnance to Foreign Powers, the Expense of which it is usual to reimburse to the Ordnance Department by the Paymaster-General under Warrants of the Treasury, should be deducted from this Account, the same being also included in Appendix H. and I., leaving the Expenditure of the Ordnance Department £.2,963,891 19*s.* 9*d.*

APPENDIX (H.)—*An Account of Monies paid by the Right Hon. the Paymaster-General of his Majesty's* FORCES, *from 25th December* 1814 *to 24th December* 1815.

				£.	s.	d.
Pay and Allowances of the Forces at Home (including Foreign Corps and Militia) Captains Allowances, Clothing, Recruiting and Regimental Contingencies				4,711,107	9	5
Staff and Garrisons				171,593	9	6
Public Offices, (including Superannuation Allowances)				163,121	6	4
Bills drawn by Deputy Paymasters abroad, on account of the above Services				232,375	17	3
Bat, Baggage and Forage				24,078	0	6
Pay, &c. of Recruiting Troops of Regiments serving in India				21,842	16	3
Disembodied Militia				168,000	0	0
Retired Officers				57,000	0	0
Wounded Officers				65,000	0	0
General Officers				80,000	0	0
Full Pay of Supernumerary Officers				28,144	5	2
Exchequer Fees				165,000	9	11
Half Pay				255,000	0	0
In Pensioners of Chelsea Hospital				24,358	11	11
Out Pensioners of Ditto				630,852	2	11
Widows Pensions				60,000	0	0
Volunteer Corps				103,000	0	0
Local Militia				180,000	0	0
Retired Chaplains				15,000	0	0
Medicines and Hospital Expenses				59,000	0	0
Compassionate List				25,196	0	0
Royal Bounty Allowances				26,172	0	10
Pay of Officers attached to the Portuguese Army				21,274	14	6
Commissary in Chief for his Department (voted)				1,099,961	0	0
Ditto for Services as under, included in the Extraordinaries, viz.						
For the Purchase of Specie for the Supply of Military Chests abroad	4,990,088	1	7			
For the payment of Subsidies	4,242,252	5	7			
For the payment of the Engagements entered into by his grace the Duke of Wellington, for the Subsistence of Foreign Troops	1,724,001	8	4			
For a payment on account of Engagements with Portugal	100,000	0	0			
In discharge of Bills of Credit	750,000	0	0			
For the purchase of Dollars for the East Indies, transferred to the East India Company in part liquidation of the Debt due to the Company from the Public	554,508	6	8			
				12,360,850	2	2
Barrack Department (voted)	99,826	0	0			
Ditto included in the Extraordinaries	15,174	0	0			
				115,000	0	0
Storekeeper General (voted)	91,600	0	0			
Ditto included in the Extraordinaries	12,000	0	0			
				103,600	0	0
Contingencies				305,941	14	0
Miscellaneous Payments				61,361	10	0
				21,333,831	10	8
Extraordinaries (including all Bills drawn upon the Treasury)				12,873,553	0	0
				34,207,384	10	8
				11,035,247	13	1¾
£.				23,172,136	17	6¼

The Sum of £.10,200,000 has also been paid by the Paymaster-General in discharge of Bills of Exchange drawn by the Treasury of Ireland, on account of the Irish Loan.

The Sum paid for Extraordinaries, includes advances of Specie made on various Stations abroad by the Commissariat Department, for pay of the Forces and other Services; also Provisions issued to the said Forces, for which credit will be given at the foot of the Account of Extraordinaries for the year 1815.

Note.—The Sum of £.11,035,247 13*s.* 1¾*d.* being the Amount of Remittances and Advances to other Countries, should be deducted from this Account, the same being included in this Account, as well as in Account Appendix I.—The Expenditure of the Army will then be £.23,172,136 17*s.* 6¼*d.*

APPENDIX (I.)—*An Account of the several* PAYMENTS *made in the Year ended the 5th Jan.* 1816, *in respect of* LOANS, REMITTANCES, *and* ADVANCES, *to Ireland and other Countries.*

	£.	s.	d.	£.	s.	d.	£.	s.	d.
IRELAND.									
On Account of Loan, £.5,500,000—54 Geo. 3, cap. 76	593,208	10	6						
Ditto ....9,000,000—55 Geo. 3, cap. 124	6,545,990	11	7						
				7,139,199	2	1			
Lottery anno 1814, 54 Geo. 3, cap. 74......	98,249	19	11						
Ditto ....1815, 55 Geo. 3, cap. 73......	39,583	6	8						
				137,833	6	7			
							7,277,032	8	8
AUSTRIA.									
By a Bill drawn on the Treasury to complete the Sum of £.1,000,000 agreed by the Treaty of Toplitz to be advanced ...	1,785	0	0						
Payments to complete the Sum of £.972,222 4*s.* 6*d.* the Sum to be advanced pursuant to the Treaty of Chaumont, viz. By Bills drawn upon the Treasury................ £.70,000 0 0 Remitted by the Commissary in Chief 335,555 11 2	405,555	11	2						
Remitted by the Commissary in Chief, being the Sum agreed to be paid under the Convention of 29th April 1815.........	1,388,888	17	6						
				1,796,229	8	8			
RUSSIA.									
Remitted by the Commissary in Chief, to complete the Sum of £.1,250,000 the Sum to be advanced pursuant to the Treaty of Chaumont	530,805	7	6						
Ditto, in part of the Sum agreed to be paid under the Convention of 29th April 1815	1,111,111	18	0						
Issued in this Country for the Maintenance of the Russian Fleet	500,002	2	0						
	2,141,919	7	6						
Remitted by the Commissary in Chief, and by Bills drawn on the Treasury, for the Russian Proportion of two-thirds of the Amount of Bills of Credit issued in 1815	1,099,999	19	6½						
				3,241,919	7	0½			
PRUSSIA.									
Remitted by the Commissary in Chief, to complete the Sum agreed to be advanced under the Supplementary Convention of 29th June 1814	355,333	6	8						
Ditto, being the Sum agreed to be paid under the Convention of 29th April 1815	1,388,888	17	6						
	1,744,222	4	2						
Value of Clothing, &c. supplied by the Commissary in Chief	50,232	3	3						
By the Commissioners of Victualling	38,369	7	6						
	1,832,823	14	11						
Remitted by the Commissary in Chief, and by Bills drawn on the Treasury, for the Prussian Proportion of the Amount of Bills of Credit for 1815	549,999	19	9¼						
				2,382,823	14	8¼			

	£.	s.	d.	£.	s.	d.	£.	s.	d.
HANOVER.									
Advanced to the Hanoverian Minister, pursuant to Treaty of 26th August 1815......	200,000	0	0						
Value of Clothing, &c. supplied by the Commissary in Chief	6,590	6	4						
				206,590	6	4			
SPAIN.									
By Bills drawn on the Treasury...............	147,295	18	11						
Value of Supplies furnished by the Commissioners of Victualling	38	0	11						
				147,333	19	10			
PORTUGAL.									
Remitted by the Commissary in Chief, pursuant to Convention, dated 21st January 1815..	-	-		100,000	0	0			
SWEDEN.									
By Bills drawn on the Treasury...............	500,000	0	0						
Remitted by the Commissary in Chief	21,061	17	1						
				521,061	17	1			
FRANCE, Canton of BERNE, ITALY, and NETHERLANDS.									
Remitted by the Commissary in Chief	30,000	0	0						
Value of Clothing supplied by ditto	48,152	14	2						
				78,152	14	2			
MINOR POWERS, under Engagements with the DUKE of WELLINGTON.									
Remitted by the Commissary in Chief	-	-		1,724,001	8	4			
MISCELLANEOUS.									
Value of Clothing, &c. supplied by the Commissary in Chief to sundry Foreign Corps	64,601	19	6						
Value of Arms, &c. supplied by the Board of Ordnance..................................	772,532	17	6						
				837,134	17	0			
							11,035,247	13	1¾
							18,312,280	1	9¾

	£.	s.	d.
Total Amount of Pecuniary Aid	10,054,730	3	11¾
Value of Clothing, &c. supplied by the Commissary in Chief	169,577	3	3
Ditto......Arms, &c. supplied by the Board of Ordnance................	772,532	17	6
Ditto......Provisions and Naval Stores	38,407	8	5
	£.11,035,247	13	1¾

N. B. The Value of all Supplies furnished to Foreign Powers being included in the Accounts of Expenditure by the Army, Navy, and Ordnance Departments, the Total Amount of such Supplies should be deducted therefrom; but as it is the usual practice to repay to the Ordnance and Naval Departments the Value of the Stores furnished by them, by Warrants upon the Paymaster-General, the Total Deduction may be made from the Army Expenditure. The Value of Supplies furnished by the Board of Ordnance must also be deducted from the Total Expenditure by that Board, as they give in their Accounts the Total Payments made by them in each year, and consequently when the Value of the Stores furnished by them are repaid by the Paymaster-General, these Sums are disbursed for other Services, and again appear in the Ordnance Accounts. The Naval Account on the contrary, comprises only the Money issued from the Exchequer, and the Expenditure thereof.

APPENDIX (K.)—*An Account, showing how the Monies remaining in the Receipt of the* EXCHEQUER *on the 5th day of January* 1815, *together with the Monies paid into the same during the Year ended the 5th day of January* 1816, *have been actually applied; so far as relates to* MISCELLANEOUS SERVICES.

SERVICES AT HOME.	£.	s.	d.
Towards defraying the Expense of the Royal Military College, 1813 & 1815	31,451	1	10
Ditto Royal Military Asylum, 1815	27,254	4	3
Towards the Repairs of Henry VII.'s Chapel	3,424	18	4½
For defraying the Expense of Repairs and Works at the King's-Bench Prison	4,493	0	0
Ditto Fleet Prison	1,903	0	0
Ditto Rolls House Chapel	2,110	0	0
For Works done at the Houses of Parliament and Speaker's House	6,590	0	0
For defraying the Expense of Repairs and Works at the Marshalsea Prison	107	0	0
For Improvements of Streets and Places near Westminster Hall	20,486	10	2
For the Improvement of the Buildings of the University of Edinburgh	10,000	0	0
In further Execution of an Act for making Roads and building Bridges in the Highlands of Scotland, 1814	20,000	0	0
For repairing the Roads between London and Holyhead, 1815	10,000	0	0
Towards defraying the Expense of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William, 1814 & 1815	50,000	0	0
For defraying the Expense of building a Penitentiary House at Milbank, 1814 & 1815	67,600	0	0
For defraying the Expense of embanking the River Thames in Front of the Penitentiary House at Milbank, 1815	3,000	0	0
For defraying the Expense of the Royal Naval Asylum	25,068	14	11
For the Improvement of Holyhead Harbour, 1814	10,000	0	0
For paying the Salaries of certain Officers of the Two Houses of Parliament, 1814 & 1815	1,880	0	0
For defraying the Expenses incident to the Two Houses of Parliament, 1815	4,160	2	9½
For defraying the extraordinary Expenses incurred for Prosecutions relating to the Coin of this Kingdom, 1814 & 1815	4,494	9	2
For paying the Fees on passing Public Accounts	4,000	0	0
For defraying the Expense of Law Charges	10,000	0	0
For defraying the Expense attending the confining, maintaining, and employing Convicts at Home	80,694	1	8
For defraying the Expense of the Police Office in Bow-street	14,383	17	0
For defraying the Charge of the Superintendance of Aliens	6,480	10	2¼
For defraying the Charge of Sheriffs, Convictions, and Overpayments, 1815	12,000	0	0
For defraying the Charge of the Board of Agriculture	3,000	0	0
For defraying the extra Charge for Contingencies of the Offices of the Three Secretaries of State, 1814 & 1815	25,000	0	0
For Ditto Messengers of Ditto, 1815	21,800	0	0
To defray the Expense of the National Vaccine Establishment	3,000	0	0
To enable the Trustees of the British Museum to carry on the Trusts reposed in them by Parliament	5,580	0	0
To enable Ditto further Ditto	1,486	4	10
To enable Ditto to proceed in making the necessary Purchases for improving the Collection of Printed Books	1,000	0	0
To enable Ditto to print the Codex Alexandrinus	2,000	0	0
To enable Ditto to preserve and enlarge the Collection of Natural History	250	0	0
To make Compensation to the Commissioners for distributing the Money stipulated to be paid by the United States of America, under the Convention made between his Majesty and the said United States, among the Persons having Claims to Compensations out of such Money	15,000	0	0
To make a final Compensation to the Commissioners for inquiring into the State of Windsor Forest, in the County of Berks, and for ascertaining the Boundaries of the said Forest, and of the lands of the Crown within the same, for their Assiduity, Care and Pains during three Years, in Execution of the Trust reposed in them per Act 46 Geo. 3.	6,000	0	0
To defray the Charge of Allowances or Compensations to Captains Hunt, Belson, Lethem, and Bright, in lieu of the Advantages they have ceased to enjoy as Barrack Masters of the respective Divisions of the Royal Marines	2,076	1	9
For paying to Elizabeth Whitfield, only surviving Daughter of the late Lieutenant Bell, of the Royal Invalid Artillery, in consideration of the Merit and Exertions of the said Lieutenant Bell, towards the attainment of the object of preserving the Lives of Shipwrecked Seamen and others	500	0	0
For enabling the Trustees appointed under an Act 54 Geo. 3, to purchase a suitable Residence and Estate for the Duke of Wellington and His Heirs	200,000	0	0
For distributing to the Officers, non-commissioned Officers, and Privates, serving in the British Army under the Duke of Wellington, in Spain, Portugal, and France, during the Years 1809, 1810, 1811, 1812, 1813, and 1814, for Captures taken from the Enemy, and appropriated to the Public Service	800,000	0	0

	£.	s.	d.
For distributing to the Officers, non-commissioned Officers, and Privates, serving in the Army under Lieut.-Gen. Sir S. Auchmuty at the Capture of the Island of Java, for Ordnance and Stores taken from the Enemy, and appropriated to the Public Service, 1815	148,000	0	0
Towards defraying such Expenses of a civil nature as do not form a part of the ordinary Charges of the Civil List	104,466	4	4
To defray the Charge of printing for the House of Lords, and for printing Acts of Parliament 1814	21,000	0	0
To make good the Deficiency of the Grant, 1814, for Ditto Ditto	3,628	14	11½
For defraying the Expense of printing 1750 Copies of the 60th Volume of the Journals of the House of Commons, 1813	2,500	0	0
To make good the Deficiency of the Grant 1813, for printing 1750 Copies of the 66th Volume of the Journals of the House of Commons, 1815	146	16	7
For defraying the Expense of printing 1750 Copies of the 67th Volume of the Journals of the House of Commons, 1814	2,500	0	0
To make good the Deficiency of the Grant 1814, for printing 1750 Copies of the 67th Volume of the Journals of the House of Commons, 1815	897	16	0
For defraying the Expense of printing the Votes of the House of Commons	2,248	11	2
To make good the Deficiency of the Grant 1814, for defraying the Expense of printing Bills, Reports, and other Papers, by Order of the House of Commons	10,000	2	9
For defraying the Expense of printing Bills, Reports and other Papers, by Order of the House of Commons	16,000	0	0
Towards defraying the Expense of reprinting Six Volumes of the Journals of the House of Commons, 1814	6,000	0	0
To defray the Charge of Stationary for the Two Houses of Parliament, 1814, 1815	3,707	1	0½
To defray Bills of the Usher of the Court of Exchequer, for supplying the Court and Offices with Stationary, for keeping in good and sufficient Repair the said Court; and for the accustomed Fees or Allowances to the several Officers thereof, 1814, 1815	1,667	14	6
To make good the Deficiency of the Grant 1813 for Ditto, 1815	470	11	8
To make good the Deficiency of the Grant 1814 for Ditto	299	13	11
For the Relief of the poor French Refugee Laity	4,298	2	6
Ditto Clergy	1,673	17	0
For the Relief of the suffering Clergy and Laity of France, Toulonese, and Corsican Emigrants, St. Domingo Sufferers, and Dutch Naval Officers, 1815	7,000	0	0
For the Relief of the suffering Clergy and Laity of France, Toulonese, and Corsican Emigrants, St. Domingo Sufferers, and Dutch Naval Officers (further) 1815	55,418	9	2
For Composition to St. Domingo Sufferers in lieu of Annual Allowances, 1814	3,500	0	0
For the Relief of the Toulonese and Corsican Emigrants	7,400	0	0
For the Relief of American Loyalists, 1814, 1815	16,500	0	0
For Protestant Dissenting Ministers in England	1,615	14	0
Ditto Ireland, 1815	753	12	6
To pay certain small charitable and other Allowances to the Poor of St. Martin's in the Fields, et alia 1814, 1815	1,166	14	10
To the Governors of Queen Anne's Bounty for the Augmentation of the Maintenance of the Poor Clergy	200,000	0	0
To defray the Charge of the Superannuation Allowance, or Compensation to John Pingo, formerly Assistant Engraver to his Majesty's Mint	120	0	0
Ditto to Joseph Planta, Esq. formerly one of the Paymasters of Exchequer Bills, 1815	266	13	4
Ditto to retired Clerks in the Audit Office	900	0	0
To pay off certain Annuities after the Rate of Five Pounds per Centum per Annum, being part of the Annuities granted per Acts 37 and 42 Geo. 3.	85,984	19	3
For the Salaries of the Officers, and incidental Expenses in preparing and drawing the Lotteries, 1814, 1815	16,250	0	0
To the Chief Clerk in the Office of the Auditor of the Exchequer, for his extra trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, 1815	500	0	0
For Salaries to the Officers, and incidental Expenses of the Commissioners, for the Reduction of the National Debt	4,000	0	0
For incidental Expenses of the Acts for the Redemption of the Land Tax, 1814	1,505	18	2
To make good the Deficiency of the Civil List on the 5th April, 1815	534,713	0	0
Bank of England, for Discount on prompt Payment to Loan £.24,000,000, Anno 1814	85,024	12	11
Ditto for Management on the above Loan	19,198	19	2
Ditto for Discount on prompt Payment to Loan £. 7,008,089 3*s.* 6*d.* Anno 1815	5,606	9	5
Ditto for Discount on Lotteries, 1814, 1815	1,085	10	7
Ditto for receiving Ditto	3,000	0	0
To make good to his Majesty's Civil List, Sums issued thereout, pursuant to Addresses of the House of Commons	26,790	8	5¾
To make good to Ditto, Sums issued for Public Services	143,891	1	8¼
For paying off at 5th April 1815, Debentures raised per Act 33 Geo. 3, for which Notices had been given for that purpose	4,500	0	0

SERVICES ABROAD.

	£.	s.	d.
Towards defraying the Expense of the Civil Establishments of			
Upper Canada, 1814, 1815	9,441	0	0
Bahamas, 1813, 1814, 1815	3,996	10	0
Dominica, 1814, 1815	563	17	1¾
Cape Breton	1,844	0	0
Prince Edward Island	2,826	0	0
Newfoundland	5,002	0	0
Sierra Leone	14,102	0	0
Bermuda, 1814	961	15	2¾
Nova Scotia, 1815	6,800	0	0
New Brunswick	6,055	0	0
New South Wales	6,000	0	0
To defray the Charge of Maintaining and repairing the British Forts on the Coast of Africa, 1815	30,000	0	0
To pay Bills drawn from New South Wales, 1814, 1815	90,000	0	0
To defray the Charge of his Majesty's Foreign and other Secret Services	119,115	4	6
Total	£.3,371,178	13	8¾

VI.—PUBLIC FUNDED DEBT.

An Account of the Progress made in the Redemption of the PUBLIC FUNDED DEBT *of* GREAT BRITAIN, *at 1st February* 1816.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners from 1st August 1786, to 1st Feb. 1816. £.	TOTAL SUMS Paid. £.	s.	d.	Average Price of Stocks.
Consol. 3 per Ct. Ann.	439,897,588	4	5¼	78,850,761	49,166,753	16	7	62⅜
......Do. pro 1807......	8,400,000	0	0	4,986,010	3,150,613	16	9	63⅛
Reduced 3 per ct. Ann.	294,726,922	0	1	165,014,186	101,848,516	8	9	61¾
......Do. pro 1807.. ...	8,400,000	0	0	5,458,445	3,446,575	3	5	63⅛
Old South Sea Anns. New Ditto	24,065,084	13	11½	10,187,600	6,988,640	15	6	68⅝
3 per Cent. Do. 1751...	1,919,600	0	0	983,000	694,319	5	0	70⅝
Consol. 4 per Cent. Ann.	76,777,744	2	2	7,796,400	6,586,934	8	9	84½
...Do. 5 per Cent. Do.	131,548,057	9	7	142,000	126,998	7	6	89⅜
...Do.... £.12,000,000 part of £.14,200,000 pro 1807	1,272,000	0	0	—	—			
5 per Cent. Annuities 1797 and 1802........	1,281,630	5	2	—	—			
3 per Cent. Do. 1726...	1,000,000	0	0	—	—			
...Do. Bank Ann.	11,686,800	0	0	—	—			
Red. 3 per ct. by £.7,400 funded, part of £799,300 raised by Deben. 53 G.3	11,100	0	0	—	—			
	1,000,986,526	15	4¾	273,418,402	172,009,352	2	3	
Transferred to the Commissioners, on account of Land-Tax Redeemed	25,155,056	19	3					
	975,831,469	16	1¾					
Do......for Purchase of Life Annuities, per 48 Geo. 3................	3,097,551	0	0					
	972,733,918	16	1¾					
Redeemed by the Commissioners...............	273,418,402	0	0					
DEBT Unredeemed at 1st February 1816 ...	699,315,516	16	1¾					

SUMS Annually applicable to the Reduction of the NATIONAL DEBT.	£.	s.	d.
Annual Charge, per 26 G. 3	1,000,000	0	0
......Do.......... ... 42 do...	200,000	0	0
......Do......... ..... 54 do...	270,000	0	0
Ann. for 99 & 96 Y. ex. 1792	54,880	14	6
Do... ...10 Years do...1787	25,000	0	0
Life Annuities Unclaimed for 3 Years, 5th Jan. 1816	29,846	4	6
......Do......... of which the Nominees shall have died prior to 5th July 1802......	21,356	6	1
Dividend on £.255,035,547 at 3 per cent.................	7,651,066	8	2¼
Do. on £.7,796,400, 4 per ct.	311,856	0	0
Do. on £.142,000 5 per ct.	7,100	0	0
1 per ct. on capitals created since 1st Feb. 1793 to 1812	5,603,231	16	0¾
Annual, for Reduction of £.12,000,000 pro 1807 ...	626,255	10	5
Dividend on £.10,444,455 3 per cent. on do..........	313,333	13	0
Dividend on £.3,097,551, 3 per cent. for Purchase of Life Annuities	92,926	10	7
Proportion of Sinking Fund on Loan raised and Bills funded, 1815, to be borne by Consol. Fund	543,494	6	11½
	16,750,347	10	3½
Deduct Life Annuities, &c. Chargeable on Sinking Fund	5,619,789	15	10¾
Actual Sinking Fund, Great Britain	11,130,557	14	4¾

ANNUITIES Fallen in since the 22d June 1802, or that will fall in hereafter.	£.	s.	d.
Exchequer Annuities, 2d and 3d Anne, expired 5th April 1803...	23,369	13	4
Do...do. 5th Jan. 1805	7,030	6	8
Do. 4 Anne do. 5th April 1805	23,254	11	6
Do. 5 Anne do. 5th April 1806	7,776	10	0
Do. 6 Anne do. 5th April 1807	4,710	10	0
Do. 6 Anne do. 5th July 1807	10,181	0	0
Bank Short Annuities do. 5th Jan. 1808......	418,333	0	11
Do. Long do. will expire 5th Jan. 1860	1,229,852	12	0½

By an Act 42 Geo. 3, cap. 71, such Annuities as fall in after the passing of that Act, are not to be placed to the Account of the Commissioners for the Reduction of the National Debt.

Progress made in the Redemption of the PUBLIC DEBT *of* IRELAND, *Funded in* GREAT BRITAIN, *at 1st February* 1816.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners from 1st August 1786, to 1st Feb. 1816. £.	TOTAL SUMS paid. £.	s.	d.	Average Price of Stocks.	SUMS Annually applicable to the Reduction of the DEBT.	£	s.	d.
Consol. £3 per Ct. Ann.	42,087,625	0	0	8,014,676	4,999,476	8	0	$62\frac{3}{8}$	Annuity at £1 per Cent. on Capitals created from 1797 to 1815	1,039,584	19	$9\frac{3}{4}$
Reduced ... Ditto	52,768,750	0	0	8,566,069	5,318,366	9	5	$62\frac{1}{8}$	Dividend on £.16,580,745, £.3 per cent	497,422	7	0
Consol, £4 per Ct. Ann.	5,954,375	0	0	—	—			—	Actual Sinking Fund, Ireland	1,537,007	6	$9\frac{3}{4}$
Ditto £5 per Cent. Do.	2,222,000	0	0	—	—			—				
	103,032,750	0	0	16,580,745	10,317,842	17	5					
Redeemed by the Commissioners	16,580,745	0	0									
Debt Unredeemed 1st February 1816	86,459,005	0	0									

Progress made in the Redemption of the IMPERIAL DEBT, *at 1st February* 1816.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners £.	TOTAL SUMS paid. £.	s.	d.	Average Price of Stocks.	SUMS Annually applicable to the Reduction of the DEBT.	£	s.	d.
Imperial £.3 per Cent. Annuities	7,502,633	6	8	1,771,441	1,070,489	14	9	$60\frac{3}{8}$	Annuity of £.1 per Cent. on Capitals created by Loan 1797	36,693	0	0
Redeemed by the Commissioners	1,771,441	0	0						Dividend on £.1,771,441 £.3 per cent	53,143	4	7
Debt Unredeemed 1st February 1816	5,731,192	6	8						Actual Sinking Fund, Germany	89,836	4	7

Progress made in the Redemption of the DEBT *of* PORTUGAL, *at 1st February* 1816.

FUNDS.	CAPITALS. £.	s.	d.	Redeemed by the Commissioners £.	TOTAL SUMS paid. £.	s.	d.	Average Price of Stocks.	SUMS Annually applicable to the Reduction of the DEBT.	£	s.	d.
Reduced £.3 per Cent. Annuities	895,522	7	9	360,810	224,979	8	7	$62\frac{3}{8}$	Annual Appropriation	30,000	0	0
Redeemed by the Commissioners	360,810	0	0						Dividend on £.360,810 3 per cent	10,824	6	0
Debt Unredeemed 1st February 1816	534,712	7	9						Actual Sinking Fund, Portugal	40,824	6	0

EXCHEQUER,
13th of March 1816.

WM. ROSE HAWORTH.

G. T. GOODENOUGH,
Secretary.

An Account of the PUBLIC FUNDED DEBT *of* GREAT BRITAIN, *as the same stood on the* 1*st of February* 1816.

	Capitals: at £.3 per Cent. per Annum.										Consolidated Annuities at £.4 per Cent.			Capitals, at £.5 per Cent.					
	Bank of England, and Annuities, 1751.	South Sea Old and New Annuities, 1751.			Consolidated Annuities.			Reduced Annuities.						Consolidated Annuities.			Annuities 1797 and 1802.		
	£.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Total Debt of Great Britain	12,686,800	21,037,684	13	11½	354,835,889	7	3¼	132,591,205	18	0	68,981,344	2	2	132,678,057	9	7	1,281,630	5	2
Ditto..........Ireland, payable in Great Britain	- -	-	-	-	42,087,625	0	0	52,768,750	0	0	5,954,375	0	0	2,220,000	0	0	—		
Ditto..........Amount of Loans to the Emperor of Germany, payable in ditto..................	- -	-	-	-	7,502,633	6	8	—			—			—			—		
Ditto................Ditto.. ....Prince Regent of Portugal, payable in Ditto.........	- -	-	-	-	-	-	-	895,522	7	9	—			—			—		
	12,686,800	21,037,684	13	11½	404,426,147	13	11¼	186,255,478	5	9	74,935,719	2	2	134,900,057	9	7	1,281,630	5	2
In the hands of the Commissioners for the Reduction of the Debt	- -	6,223,600	0	0	14,208,496	0	0	19,960,444	0	0	—			—			—		
		14,814,084	13	11½	390,217,651	13	11¼	166,295,034	5	9	—			—			—		
Transferred to the Commissioners by purchasers of Life Annuities, pursuant to Act 48 Geo. 3, cap. 142............................	- -	-	-	-	2,038,685	0	0	1,058,866	0	0	—			—			—		
Total, &c.........	12,686,800	14,814,084	13	11½	388,178,966	13	11¼	165,236,168	5	9	74,935,719	2	2	134,900,057	9	7	1,281,630	5	2

(*Repeated Column.*)	TOTAL CAPITALS.			ANNUAL INTEREST.			Annuities for Lives, or for Terms of Years.			Charges of Management.			Annual or other Sums payable to the Commissioners by sundry Acts of Parliament.			TOTAL of ANNUAL EXPENSES.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Total debt of Great Britain……………………	724,092,611	16	1¾	25,091,785	10	10¾	1,303,375	14	5¾	251,007	7	11	10,557,243	12	10¾	37,203,412	6	2¼
Ditto ………Ireland, payable in Great Britain	103,032,750	0	0	3,194,966	5	0	129,583	6	8	29,580	12	4¾	1,039,584	19	9¾	4,393,715	3	10½
Ditto……….Amount of Loans to the Emperor of Germany, payable in Ditto …………….	7,502,633	6	8	225,079	0	0	230,000	0	0	3,903	12	1	36,693	0	0	495,675	12	1
Ditto …………….Ditto…………….Prince Regent of Portugal, payable in Ditto ……..	895,522	7	9	26,865	13	5¼	-	-	-	181	16	0	30,000	0	0	57,047	9	5¼
	835,523,517	10	6¾	28,538,696	9	4	1,662,959	1	1¾	284,673	8	4¼	11,663,521	12	8½	42,149,850	11	7
In the hands of the Commissioners for the Reduction of the Debt…………………….	40,392,540	0	0	1,211,776	3	11¾	-	-	-	-	-	-	1,211,776	3	11¾	—		
	795,130,977	10	6¾	27,326,920	5	4¼	-	-	-	-	-	-	12,875,297	16	8¾	—		
Transferred to the Commissioners by purchasers of Life Annuities, pursuant to Act 48 Geo. 3, cap. 142………………… …	3,097,551	0	0	92,926	10	7	-	-	-	-	-	-	92,926	10	7	—		
TOTAL CHARGE for DEBT payable in Great Britain …………………………….	792,033,426	10	6¾	27,233,993	14	9¼	1,662,959	1	1¾	284,673	8	4¾	12,968,224	7	3¼	42,149,850	11	7
Add Annuities payable at the Exchequer, Unclaimed for three Years at 5th Jan. 1816…	-	-		-	-		-	-		-			29,846	4	6			
													12,998,070	11	9¾			
Deduct Life Annuities payable at the Bank of England………………………………	-	-		-	-		-	-		-	-		199,845	0	0			
Amount applicable to the Reduction of the Debt payable in Great Britain …………….	-	-		-	-		-	-		-			12,798,225	11	9¼			

EXCHEQUER,
13th of March 1816.

WM. ROSE HAWORTH.

VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT *and* DEMANDS OUTSTANDING *on the 5th Day of January* 1816.

	Amount Outstanding.					
	£.	s.	d.	£.	s.	d.
EXCHEQUER.						
Exchequer Bills provided for	19,772,800	0	0			
……Do…… unprovided for	21,669,100	0	0			
				41,441,900	0	0
TREASURY.						
Miscellaneous Services	530,535	1	10¾			
Warrants for Army Services	20,616	15	5			
Treasury Bills	1,005,514	12	6¼			
				1,556,666	9	10
Army	-	-	-	1,030,109	3	8
Barracks	-	-	-	125,005	13	0
Ordnance	-	-	-	876,857	7	4
Navy	-	-	-	3,694,821	5	7
Civil List Advances	-	-	-	Nil.		
				48,725,359	19	5

VIII.—DISPOSITION OF GRANTS.

An Account showing how the MONIES, *given for the* SERVICE *of the Year* 1815, *have been disposed of; distinguished under their several heads, so far as relates to* GREAT BRITAIN.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.			
	£.	s.	d.	£.	s.	d.	
Navy	18,644,200	2	7	18,644,200	2	7	
Ordnance	4,039,744	11	10	3,155,133	19	0	†*
To enable the Commissioners appointed by virtue of an Act made in the last Session of Parliament, intituled, "An Act to vest in Trustees certain Messuages, Lands, "Tenements and Hereditaments, for extending the "present Lines and Works, and for erecting other "Works and Buildings at or near Portsmouth and "Hilsea, in the County of Southampton," to make "Compensation to the Proprietors of such Lands and "Hereditaments at or near Portsmouth, as have been "purchased for the purposes of the said Act, and that "the said Sum be issued and paid without any Fee or "other Deduction whatsoever	68,833	19	0	-	-	-	†
Forces	35,967,026	9	8¼	35,347,442	9	4½	†
To enable his Majesty to take such Measures as may be necessary to disappoint or defeat the Enterprises or Designs of his Enemies, and as the Exigency of Affairs may require	6,000,000	0	0	4,604,100	0	0	†
To pay off and discharge the remainder of the Bills of Credit, or other Securities issued by virtue of an Act of the 54th Year of his present Majesty, intituled, "An Act for giving effect to certain Engagements of "his Majesty with the Emperor of all the Russias, "and the King of Prussia, for furnishing a part of the "Pecuniary Succours for assisting his Majesty's said "Allies in supporting the Expenses of the War with "France," together with the Interest due thereon	1,650,000	0	0	1,650,000	0	0	

(continued.)

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* This mark † is to designate that the whole of the Sums Voted or Granted, has not been Paid.

*

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To make good the Engagements which his Majesty has entered into with the Emperor of Austria, Emperor of Russia, and King of Prussia	5,000,000	0	0	4,177,777	15	6 †
To enable his Majesty to carry into execution the Conditions of a Convention with the King of Sweden, dated the 13th day of August 1814	1,000,000	0	0	750,000	0	0 †
To enable his Majesty to make good Subsidiary Engagements entered into with Foreign Powers previous to the Year 1815	1,451,056	8	3	1,451,056	8	3
To make good the following Sums, which have been issued at the Receipt of the Exchequer, out of his Majesty's Civil List Revenues, and which are directed to be paid without any Fee or other Deduction whatsoever:						
To make good the like Sum which has been issued by his Majesty's Orders, pursuant to Addresses of the House of Commons, and which has not been made good by Parliament	11,932	9	2	26,790	8	5¾
To make good further Sums issued pursuant to Do.	14,857	19	3¾			
To make good the like Sum issued to several Persons for Public Services, and which have not been replaced by Parliament	68,357	7	5¾	143,891	1	8¼
To make good further ....Do......Do......Do.	58,767	14	10½			
To make good the like Sum heretofore paid out of the Proceeds of old Naval Stores	4,344	14	9			
To make good further............Do......Do......Do.	3,933	1	1			
To make good the like Sum which has been applied for Parliamentary Services, or Services of a Public description	6,681	18	6			
To make good further ....Do......Do......Do.	1,806	5	0			
For defraying the Charge of the Civil Establishments under-mentioned; *viz.*						
Of the Bahama Islands, in addition to the Salaries now paid to the Public Officers out of the Duty Fund, and other incidental Charges attending the same; from the 1st day of January to the 31st day of December 1815	3,301	10	0	3,150	0	0 †
Do...Bermuda or Somers Islands, ..from Do...to...Do...	1,023	0	0	399	18	10½ †
Do...Dominica ....from Do...to...Do...	600	0	0	241	3	2¼ †
Do...Upper Canada..........from Do...to...Do...	9,920	0	0	8,000	0	0 †
Do...Nova Scotia..........from Do...to...Do...	13,440	0	0	6,800	0	0 †
Do...New Brunswick ....from Do...to...Do...	6,055	0	0	6,055	0	0
Do...Cape Breton ....from Do...to...Do...	2,194	0	0	1,200	0	0 †
Do...St. John, now called Prince Edward Island, from Do...to...Do...	3,826	0	0	3,826	0	0
Do...New South Wales ....from Do...to...Do...	12,787	15	0	12,000	0	0 †
Do...Sierra Leone..........from Do...to...Do...	15,760	0	0	8,000	0	0 †
Do...Newfoundland ....from Do...to.. Do...	5,080	0	0	5,080	0	0
For defraying the Expense of maintaining and repairing the British Forts on the Coast of Africa; for the Year 1815	30,000	0	0	30,000	0	0
For defraying the Charge of the Royal Military College, from the 25th day of December 1814 to the 24th day of June 1815, both inclusive, being 182 days	14,000	0	0	31,200	0	0 †
To complete the Sum required for...Do...from the 25th day of December 1814 to the 24th day of December 1815, both inclusive, being 365 days	20,197	0	7			
For defraying the Charge of the Royal Military Asylum at Chelsea, from the 25th day of December 1814 to the 24th day of June 1815, both inclusive, being 182 days	15,000	0	0	27,254	4	5 †
To complete the Sum required for....Do.....from the 25th day of December 1814 to the 24th day of December 1815, both inclusive, being 365 days	12,338	14	8			
To defray the probable Amount of Bills drawn or to be drawn from New South Wales, for the Year 1815	80,000	0	0	80,000	0	0

(continued.)

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
To make good the deficiency of the Grant of the Year 1815, for printing 1,750 Copies of the 66th Volume of the Journals of the House of Commons	146	16	7	146	16	7
For printing 1,750 Copies of the 68th Volume of the Journals of the House of Commons, being for the Session 1813; and which may be incurred in 1815	2,500	0	0	2,500	0	0
Towards making good the deficiency of the Grant of the Year 1814, for defraying the Expense of printing Bills, Reports, and other Papers, by Order of the House of Commons, during the last Session of Parliament.........	10,000	2	9	10,000	2	9
To defray the Expense of printing Bills, Reports, and other Papers, by Order of the House of Commons, during the present Session of Parliament.................	16,000	0	0	16,000	0	0
Towards reprinting Journals and Reports of the House of Commons, in the Year 1815	6,000	0	0	-	-	- †
To defray the Expense of printing the Votes of the House of Commons, during the present Session of Parliament	2,500	0	0	2,248	11	2 †
To make good the deficiency of the Grant in the last Session of Parliament, for defraying the Charge of printing for the House of Lords, and for printing Acts of Parliament	3,628	14	11½	3,628	14	11½
To defray the Charge for printing Acts of Parliament for the two Houses of Parliament; for the Sheriffs, Clerks of the Peace, and Chief Magistrates throughout the United Kingdom, and for the acting Justices throughout Great Britain; and also for printing Bills, Reports, Evidence and other Papers and Accounts for the House of Lords; for the Year 1815....................	21,000	0	0	19,000	0	0 †
To defray the Charge for Stationary for the two Houses of Parliament; for the Year 1815	3,500	0	0	3,500	0	0
To pay the Salaries of certain Officers of the two Houses of Parliament; for the Year 1815	1,880	0	0	1,575	0	0 †
To pay the Expenses incident to the two Houses of Parliament; for the Year 1815	4,200	0	0	4,160	2	9½ †
To be paid to Sheriffs for Convictions of Felons, and Overpayments; for the Year 1815.......................	12,000	0	0	12,000	0	0
For defraying the Expense attending the confining, maintaining and employing Convicts at Home; for the Year 1815	77,283	5	0	67,800	0	0 †
To defray the Expense of the Public Office, Bow-street; for the Year 1815........	14,000	0	0	14,000	0	0
For defraying the Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom	5,000	0	0	4,000	0	0 †
To defray the Expenses of Law Charges; for the Year 1815	20,000	0	0	10,000	0	0 †
For paying the Fees on passing the Public Accounts for the Year 1815...............................	4,000	0	0	4,000	0	0
For discharging Interest on Exchequer Bills	2,000,000	0	0	2,000,000	0	0
One hundredth part of the Sum of Twenty-six millions of Exchequer Bills, authorized in the last Session of Parliament to be issued and charged upon the Aids granted in the present Session; and a further Sum of Ten thousand Pounds in respect of certain Debentures issued by virtue of two Acts of the 53d Year of his present Majesty's reign; and that the said Sums, making together the Sum of Two hundred and Seventy thousand Pounds, be issued and paid by equal Quarterly Payments to the Governor and Company of the Bank of England, to be by them placed to the Account of the Commissioners for the Reduction of the National Debt; for the Year ending the 1st day of Feb. 1816	270,000	0	0	270,000	0	0
For defraying the Extra Charge for Messengers of three Secretaries of State, for the Year 1815	29,000	0	0	21,800	0	0 †
Do............Do............for Contingencies of Do......Do.	21,000	0	0	21,000	0	0
For defraying the Charge of the Superintendence of Aliens, according to the Provisions of an Act passed						

(continued.)

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
in the 43d year of the reign of his present Majesty; for the Year 1815........	7,928	3	4	6,000	0	0 †
To make good the deficiency of the Grant for the Year 1813, to defray Bills of the Usher of the Court of Exchequer for supplying the Court and Offices with Stationary, for keeping in good and sufficient Repair the said Court, and for the accustomed Fees or Allowances to the several Officers thereof	470	11	8	470	11	8
To make good the deficiency of the Grant for the Year 1814, for .... Do........ Do........	299	13	11	299	13	11
To defray Bills of ....Do.. ....Do......1815	2,178	14	6	1,442	5	0
To make good the deficiency of the Grant for the Year 1814, for printing 1,750 Copies of the 67th Volume of the Journals of the House of Commons	897	16	0	897	16	0
For defraying his Majesty's Foreign and other Secret Services; for the Year 1815........	35,000	0	0	-	-	- †
The following SERVICES are directed to be paid, without any Fee or other Deduction whatsoever:						
To enable his Majesty to grant Relief to such of the Suffering Clergy and Laity of France, Toulonese, and Corsican Emigrants, Saint Domingo Sufferers, and Dutch Naval Officers, who may heretofore have received Allowances from his Majesty, and who may not have been enabled to return to their own Countries in the course of the present Year; or who from Services performed, or Losses sustained, in the British Service, may have special Claims on his Majesty's Justice or Liberality	15,000	0	0	15,000	0	0
To make Compensation to the Commissioners appointed under the Act of the 43d year of his present Majesty, for appointing Commissioners for distributing the Money stipulated to be paid by the United States of America, under the Convention made between his Majesty and the said United States, among the Persons having Claims to Compensation out of such Money ...	15,000	0	0	15,000	0	0
For paying off, on the 5th day of April 1815, the Debentures raised in pursuance of two Acts of the 53d year of his present Majesty, for granting Annuities to satisfy certain Exchequer Bills, and for raising Money by Debentures for the Service of Great Britain, for which Notices have been given by sundry persons signifying their desire to have payment thereof in Money	4,500	0	0	4,500	0	0
To pay One half Year's Interest to the 5th day of April 1815, on the Sum raised by Debentures, in pursuance of two Acts of the 53d year of his present Majesty, for granting Annuities to satisfy certain Exchequer Bills, and for raising Money by Debentures for the Service of Great Britain, which have not been funded or paid off	19,797	10	0	39,482	10	0
For paying One half Year's Interest to the 10th day of October 1815, on Do........ Do...	19,685	0	0			
For paying off and discharging, on the 5th day of April 1815, certain Annuities, granted by two Acts of the 37th and 42d years of his present Majesty........	36,187	5	8	85,984	19	3
For Do........Do.. ... on the 10th day of October 1815, Do........Do........	49,797	13	7			
To defray the Expense of Works and Repairs done at the Fleet Prison, from the 6th day of January 1814, to the 5th day of January 1815	1,903	0	0	1,903	0	0
To Do........Do......at the Marshalsea Prison, from Do .... to Do........	107	0	0	107	0	0
To Do........Do......at the King's Bench Prison, from Do........ to Do........	4,493	0	0	4,493	0	0
To Do........Do......at the Rolls Chapel, &c. from Do........ to Do........	2,110	0	0	2,110	0	0
To Do........Do......at the two Houses of Parliament and Speaker's House, from Do .... to Do........	6,590	0	0	6,590	0	0 †

(continued.)

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Towards defraying the building of a Penitentiary House at Millbank, for the Year 1815	60,000	0	0	57,000	0	0 †
To be applied in further execution of an Act of the 43d year of his present Majesty, towards making Roads and building Bridges in the Highlands of Scotland; for the Year 1815	20,000	0	0	20,000	0	0
Towards defraying the Expense of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William; for the Year 1815	50,000	0	0	25,000	0	0 †
To defray the Charge of the Superannuation Allowances or Compensations to two retired Clerks, formerly employed in the Lottery Office; for the Year 1815	236	0	0	236	0	0
To Do. to Mr. John Pingo, formerly Assistant Engraver to his Majesty's Mint; for the Year 1815	60	0	0	60	0	0
To Do. to Joseph Planta, Esq. formerly one of the Paymasters of Exchequer Bills, for Do.	266	13	4	266	13	4
To Do. to retired Clerks and other Officers, formerly employed in the Office of the Commissioners for auditing the Public Accounts; for the Year 1815	1,200	0	0	1,200	0	0
For the Relief of the poor French Refugee Clergy; for the Year 1815	1,673	17	0	1,673	17	0
For Do. Laity for Do.	4,298	2	6	4,298	2	6
For Protestant Dissenting Ministers in Ireland, for Do.	753	12	6	753	12	6
For Do. in England, for Do.	1,615	14	0	807	17	0 †
For the Relief of American Loyalists for Do.	18,000	0	0	13,500	0	0 †
To pay certain small charitable and other Allowances to the Poor of St. Martin in the Fields, et alia; for the Year 1815	1,166	14	10	1,166	14	10
To defray the Expense of the Vaccine Establishment; for the Year 1815	3,000	0	0	3,000	0	0
For repairing and reinstating the English Episcopal Church at Rotterdam	2,000	0	0	-	-	- †
To enable his Majesty to grant Relief to such of the Suffering Clergy and Laity of France, Toulonese, and Corsican Emigrants, St. Domingo Sufferers, and Dutch Naval Officers, who may heretofore have received Allowances from his Majesty, and who may not have been enabled to return to their own Countries in the course of the present Year, or who from Services performed, or Losses sustained in the British Service, may have special Claims upon his Majesty's Justice or Liberality	60,000	0	0	60,000	0	0
To enable his Majesty to make final Compensation to the Commissioners appointed by an Act made in the 46th year of his present Majesty's reign, intituled, "An Act for inquiring into the State of Windsor "Forest, in the County of Berks, and for ascertaining "the Boundaries of the said Forest, and of the Lands "of the Crown within the same," for their Assiduity, Care and Pains, during three years, in the execution of the Trust reposed in them by the said Act, for the Year 1815	6,000	0	0	6,000	0	0
Towards the Repair of Henry the Seventh's Chapel; for the Year 1815	3,424	18	4½	3,424	18	4½
For enabling the Trustees of the British Museum to carry on the Trusts reposed in them by parliament	5,580	0	0			
For further enabling Do. Do.	1,486	4	10	10,316	4	10
To enable Do. to proceed in making the necessary Purchases for improving the Collection of Printed Books	1,000	0	0			
Towards enabling Do. to print the Codex Alexandrinus	2,000	0	0			
To be paid to Do. for preserving and enlarging the Collection of Natural History	250	0	0			
For defraying the Expense of the Royal Naval Asylum; from the 1st day of January to the 31st day of December 1815, both inclusive	25,068	14	11	25,068	14	11
To make good the Sum that may be wanted in the Year 1815, in further execution of the Act of the 46th year of his present Majesty, cap. 89, for discharging outstanding Demands, and purchasing Houses and Grounds for the further Improvement of Westminster, in con-						

(continued.)

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
formity with the Recommendation of the Select Committee of the House of Commons, by their Report of the 31st day of May 1810	20,486	10	2	20,486	10	2
For carrying on in the Year 1815, the Improvements of Holyhead Harbour	12,000	0	0	5,000	0	0 †
For defraying the expense of embanking the River Thames in the Front of the Penitentiary House at Millbank	8,984	0	0	3,000	0	0 †
For defraying the Expense of Buildings at the Mint	4,550	0	0	-	-	- †
For the Board of Agriculture	3,000	0	0	3,000	0	0
To be applied in repairing the Road between London and Holyhead by Chester and London, and Bangor Ferry by Shrewsbury, for the Year 1815	20,000	0	0	20,000	0	0
To defray the Charge of Allowances or Compensations to Captains Hunt, Belson, Letham and Bright, in lieu of the advantages they have ceased to enjoy as Barrack Masters of the respective Divisions of Royal Marines, from the 1st day of October 1813 to the 2d day of June 1815	2,076	1	9	2,076	1	9
For the Improvement of the Buildings of the University of Edinburgh	10,000	0	0	10,000	0	0
For the better enabling the Trustees appointed under "An Act of the last Session of Parliament, for settling "and securing an Annuity on Arthur Duke of Wellington, and his Heirs, and for empowering the "Lords of the Treasury to advance out of the Consolidated Fund of Great Britain, a Sum of Money to "purchase an Estate in order to accompany the said "Title;" to carry into effect the provisions of the said Act, with respect to the purchasing a suitable Residence and Estate for the Duke of Wellington and his Heirs	200,000	0	0	200,000	0	0
To be distributed to the Officers, Non-commissioned Officers and Privates, serving in the British Army under the Duke of Wellington, in Portugal, Spain, and France, during the Years 1809, 1810, 1811, 1812, 1813, and 1814, for captures taken from the Enemy, and appropriated to the Public Service	800,000	0	0	800,000	0	0
To be distributed to the Officers, Non-commissioned Officers, and Privates, serving in the Army under Lieutenant-General Sir Samuel Auchmuty at the Capture of the Island of Java, for Ordnance and Stores taken from the Enemy, and appropriated to the Public Service	148,000	0	0	148,000	0	0
To make good the Deficiency of the Civil List on the 5th day of April, 1814 (should have been 1815)	534,713	0	0	534,713	0	0
To enable his Majesty to provide for such Expenses of a civil nature as do not form a part of the ordinary Charges of the Civil List	200,000	0	0	162,808	19	7 †
To enable his Majesty to pay the same to the Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the Poor Clergy, according to the rules and regulations by which the Funds of that Corporation are governed	100,000	0	0	100,000	0	0
To enable his Majesty to make provision for the Augmentation of the Maintenance of the poorer Clergy of Scotland, to be issued and applied pursuant to the provisions of any Act or Acts to be passed for that purpose	10,000	0	0	-	-	- †
To be paid to Elizabeth Whitfield, only surviving daughter of the late Lieutenant Bell, of the Royal Invalid Artillery, in consideration of the merit and exertions of the said Lieutenant Bell, towards the attainment of the object of preserving the lives of Shipwrecked Seamen and others	500	0	0	500	0	0
For defraying the Charges and Expenses of preparing and drawing the Lotteries, 1815; and for taking in Tickets, and for making out Certificates in lieu thereof	15,000	0	0	8,000	0	0 †

(continued.)

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To pay off Exchequer Bills in part of £.8,440,900 remaining unfunded of £.6,000,000 and £.3,000,000 raised per Acts 54 Geo. 3, cap. 79 and 188, being the excess beyond £.4,500,000 Exchequer Bills, granted per Act 55 Geo. 3, cap. 148, for payment thereof......	3,940,900	0	0	3,940,900	0	0 †
	83,281,940	13	11¼	79,037,796	2	0¾ †

† The Total Remaining to be Paid is £.4,244,144 11 10¾.

Payments for other SERVICES, *not being part of the Supplies Granted for the Service of the Year.*

	£.	s.	d.
James Fisher, Esq. on his Salary for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, cap. 1..........	500	0	0
Expenses in the Office of the Commissioners for Reducing the National Debt	4,000	0	0
Bank of England, for Management on Life Annuities	798	3	7
Expenses in the Office of the Commissioners for the Redemption of the Land Tax ...	1,261	2	0
Bank of England, for Discount on Loan £.36,000,000	281,397	3	9
Ditto for Discount on Lotteries	881	8	7
Ditto for receiving Contributions to Loan £.36,000,000..........	28,800	0	0
Ditto for Ditto to Loan £.7,008,089 3*s.* 6*d.* being the amount of Subscriptions in Money on Exchequer Bills funded..........	5,606	9	5
Ditto for Ditto to Lotteries	2,000	0	0
Expenses of printing Bills of Credit	1,764	17	6
For the purchase of the Duke of Grafton's Annuity, in lieu of the duties of Prisage and Butlerage of Wines	86,435	7	0
	413,444	11	10

WAYS *and* MEANS *for answering the aforegoing* SERVICES.

	£.	s.	d.
Duty on Malt, Sugar, Tobacco and Snuff, and on Pensions, Offices, &c. continued	3,000,000	0	0
Surplus Consolidated Fund..	3,000,000	0	0
War Taxes	22,000,000	0	0
Profits of Lotteries	260,833	6	8
Monies arisen from the Sale of Old Naval and Victualling Stores; including £.89,281 6*s.* to be accounted for to Ireland, being the Irish Proportion thereof	758,976	0	0
Loan per Act 55 Geo. 3, cap. 124, part of £.36,000,000, the remainder being for the Service of Ireland	27,000,000	0	0
Exchequer Bills on Vote of Credit..........	6,000,000	0	0
Loan by Subscriptions in Money on Exchequer Bills funded per Act 55 Geo. 3, cap. 74..........	7,008,089	3	6
Voted from Aids 1814, being the Amount of Exchequer Bills charged thereon, funded	2,812,400	0	0
Exchequer Bills charged on Aids 1815, that were funded	6,280,100	0	0
Interest on Land Tax redeemed by Money	1,528	17	4¼
Ditto ....Ditto............by Stock	7,000	0	0
Payments by Ireland on Account of joint Contribution to Supplies, 1815..........	1,000,000	0	0
	79,128,927	7	6¼
Amount of Sums Voted, as per preceding Account..........	83,281,940	13	11¼
Payments for Services not voted	413,444	11	10
	83,695,385	5	9¼
Ways and Means, as above	79,128,927	7	6¼
Deficiency of Ways and Means	4,566,457	18	3

The SUMS *under mentioned were granted in* 1815, *but were not for the Service of the Year.*

£.12,500,000, in Exchequer Bills, were authorized to be raised by Act 55 Geo. 3, cap. 4, to pay off the like Amount issued per Acts 54 Geo. 3, cap. 18 and 39.

£.1,500,000, in Exchequer Bills, were authorized to be raised by Act 55 Geo. 3, cap. 149, to pay off the like Amount issued per Act 54 Geo. 3, cap. 80.

£.4,500,000, in Exchequer Bills, were authorized to be raised by Act 55 Geo. 3, cap. 148, to be applied in part Payment of £.8,440,900, remaining unfunded of £.6,000,000, and £.3,000,000 Exchequer Bills, raised per Acts 54 Geo. 3, cap. 79 and 188; leaving £.3,940,900, to be paid out of the Ways and Means of the Year.

The Sum of £.15,000,000, was authorised by Act 55 Geo. 3, cap. 187, to be applied out of the War Taxes for the Service of 1814, and the like Amount was authorized to be paid out of the Ways and Means 1815, to discharge Exchequer Bills for the Service of the Year 1814.

AMOUNT *of* SUMS *remaining to be Paid.*

	£.	s.	d.
Exchequer Bills, charged on Aids 1815	18,128,500	0	0
Grants remaining to be paid, as per preceding Account	4,244,144	11	10½
To Pay Lottery Prizes, 1815	390,300	0	0
To be remitted to Ireland, on Account of Lotteries, 1815	90,833	6	8
Ditto.........to Ditto, to complete £.9,000,000, Loan 1815	1,454,009	8	5
	24,307,787	6	11½

SUMS *remaining in the* EXCHEQUER, *and to be Raised.*

	In the Exchequer.			To be Raised.					
	£.	s.	d.	£.	s.	d.			
War Taxes	937,729	16	3¼	12,038,249	17	9			
Vote of Credit	-	-	-	1,395,900	0	0			
Loan £.36,000,000	1,244,923	5	10¾						
Surplus Consolidated Fund	-	-	-	1,427,451	7	11			
Lotteries	82,658	14	0¼	343,250	0	0			
Due from Consolidated Fund, being the Deficiency made good at 5th January 1816, out of Ways and Means 1815	-	-	-	604,945	0	1¾			
Interest on Land Tax, redeemed by Money	267	15	4¼						
Ditto by Stock	7,000	0	0						
Due from Ways and Means 1816, in part of £.18,694,100, authorized to be advanced out of Aids 1815 for Services 1816	-	-	-	1,658,953	11	4¼			
	2,272,579	11	6½	17,468,749	17	2			
				2,272,579	11	6½			
							19,741,329	8	8½
Deficiency of Ways and Means							4,566,457	18	3

Note.—When the Proportion of Ireland's Contribution of 2-17ths to the Joint Expenditure of the United Kingdom shall be received, it will be applied in Aid of the above Deficiency.

I.—PUBLIC INCOME OF IRELAND:

FOR THE YEAR ENDING FIFTH JANUARY, 1816.

An Account of the ORDINARY REVENUES *and* EXTRAORDINARY RESOURCES *constituting the* PUBLIC INCOME *of* IRELAND.

HEADS OF REVENUE.	GROSS RECEIPT: Total Receipt to be accounted for.			Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenue.			NET PRODUCE applicable to National Objects, and the Payments into the Exchequer.		
Ordinary Revenue.	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS	2,764,591	19	4⅞	524,938	1	9	2,239,653	17	7⅞
EXCISE	4,509,907	17	1⅝	462,886	0	0	4,047,021	17	1⅝
STAMPS	761,328	14	10¾	71,398	11	3¼	689,930	3	7½
POST OFFICE	264,948	2	2½	148,156	8	9¼	116,791	13	5¼
POUNDAGE FEES	26,256	19	6¾	-		-	26,256	19	6¾
PELLS FEES	5,251	7	10¼	-		-	5,251	7	10¼
CASUALTIES	3,701	6	0	-		-	3,701	6	0
Total Ordinary Revenue	8,335,986	7	0¾	1,207,379	1	9½	7,128,607	5	3¼
Extraordinary Resources.									
From the Commissioners of the Navy in Great Britain, on Account of Advances made by several Collectors in Ireland, for Seamen's Wages	82,568	3	9¾	-		-	82,568	3	9¾
From the Paymaster General of Great Britain, on account of Advances made by several Collectors in Ireland for Half-pay to reduced Officers, Pensions to Officers' Widows, &c. on the British Establishment	10,416	2	2½	-		-	10,416	2	2½
From Great Britain, being one-third of the Profit on Lotteries for 1814	106,437	9	11	-		-	106,437	9	11
From several County Treasurers, per the Receiver General, on account of Advances made by the Treasury for improving Post Roads in Ireland	42,128	9	6½	-		-	42,128	9	6½
From several County Treasurers, per the Receiver General, on account of Advances made by the Treasury for building Gaols	8,433	6	8	-		-	8,433	6	8
Other monies paid to the Public	26,734	0	2¼	-		-	26,734	0	2¼
Total, Independent of the Loans	8,612,703	19	4¾	1,207,379	1	9½	7,405,324	17	7¼
LOANS paid into the Exchequer, in the Year ended the 5th January 1816	11,091,689	0	0¾	-		-	11,091,689	0	0¾
Total, including Loans	19,704,392	19	5½	1,207,379	1	9½	18,497,013	17	8
Appropriated Duties for Local Objects.									
Linen Manufacture	1	0	0	-		-	1	0	0
Improvement of Dublin	13,695	9	0	-		-	13,695	9	0
Repairs of the Royal Exchange and Commercial Buildings	2,264	7	8	-		-	2,264	7	8
Lagan Navigation	5,525	19	9¼	2,743	7	0	2,782	12	9¼
Inns of Court	2,515	10	0	-		-	2,515	10	0
Light-houses	28,762	13	9¾	107	3	10½	28,655	9	11¼
Total appropriated Duties for Local Objects	52,765	0	3	2,850	10	10½	49,914	9	4½
GRAND TOTAL £.	19,757,157	19	8½	1,210,229	12	8	18,546,928	7	0½

II.—CONSOLIDATED FUND OF IRELAND.

An Account of the Consolidated Fund *of* Ireland, *for the Year ending the 5th Jan.* 1816.

	INCOME.		
	£.	s.	d.
Balance on the Consolidated Fund remaining in the Exchequer, on the 5th January 1815	1,689,282	2	11¼
Customs and Excise Duties, including Quit Rents, and Payments on account of dismissed and deceased Collectors	5,091,836	11	4
Stamp Duties	546,315	1	2½
Post Office Revenue	79,500	0	0
Poundage Fees	26,256	19	6¾
Pells Fee	5,251	7	10¼
	7,438,442	2	10¾
Repayments from Great Britain, for Advances for Seamen's Wages, Half-pay to Reduced Officers, Pensions to Officers' Widows, &c. on the British Establishment	92,984	6	0¼
On Account of Advances made for improving Post Roads and building Gaols	51,024	12	8½
Other Monies paid to the Public	30,435	6	2¼
Extraordinary Resources.			
On Account of Loans	11,091,689	0	0¾
On Exchequer Bills	2,320,000	0	0
From Great Britain, being One-third Part of the Profit on the Lotteries for 1814	106,437	9	11
	21,131,012	17	9½

	ACTUAL PAYMENTS.			CHARGE.		
	£.	s.	d.	£.	s.	d.
Interest on Funded Debt, including Annuities and Management	4,781,204	3	8½	4,781,204	3	8½
Interest on Unfunded Debt	119,843	15	0	119,856	17	11
Sinking Fund and Management	1,468,122	7	1	1,575,863	18	11
Principal of Debentures	-	-	-	2,225	0	0
Principal of Exchequer Bills	2,323,100	0	0	2,324,058	6	8
Lottery Prizes	42	0	0	25,735	0	0
Discount on prompt Payment of Loan Deposits, &c.	37,917	1	6	37,915	1	6
Improving Post Roads	55,878	11	2½	55,878	11	2½
On Account of Balance due by Ireland on joint Expenditure of the United Kingdom, to the 5th Jan. 1815	6,616,985	9	11½	6,616,985	9	11½
	15,403,091	8	5½	15,539,722	9	10½
Printing Statutes, to complete £.3,726 5*s.* granted 1814	2,234	11	8			
Royal Canal Office of Inquiry, to complete £.882 11*s.* 3*d.* granted 1814	382	11	3	Unascertained.		
Inland Navigations	65,309	5	6¾			
Civil List	228,387	4	5			
Pensions to the 25th March 1813	203	0	0			
Permanent Parliament Payments	272,325	2	9			
Grants for Military Purposes	3,148,039	1	9			
Vote of Credit	54,209	13	9			
Grants for Civil Purposes	508,744	6	2¾			
	19,682,926	5	10	Unascertained.		
SURPLUS of the Consolidated Fund on 5th Jan. 1816	1,448,086	11	11½			
	21,131,012	17	9½			

III.—ARREARS AND BALANCES.

	£.	s.	d.
Balances due on the 5th Jan. 1816, from deceased and dismissed Collectors of Customs	14,296	7	5⅞
Ditto..................Ditto ....Excise	197,694	12	4⅞
Ditto..................Ditto......................Hearth Money Collectors...........	79,314	2	9½

IV.—TRADE AND NAVIGATION.

An Account of the Value of all IMPORTS *into, and all* EXPORTS *from* IRELAND, *for Three Years, ending 5th January* 1816.

	OFFICIAL VALUE OF IMPORTS.			OFFICIAL VALUE OF					
				Irish Produce and Manufactures Exported.			Foreign and Colonial Merchandise Exported.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Year ending 5th January 1814	8,447,060	8	7	6,822,095	5	1¼	436,576	6	10¼
1815	7,245,043	2	11½	6,558,103	19	4¼	581,332	13	3¼
1816	6,106,877	12	5½	6,742,905	5	2	333,217	17	9½

Note.—The real Value of Irish Produce and Manufactures Exported in the Year ending the 5th of Jan. 1816, computed at the Average Prices current amounted to ... £.12,164,503 7 3½

An Account of the Number of VESSELS, *with the Amount of their* TONNAGE, *that were Built and Registered in the several Ports of* IRELAND, *in the Three Years ending the 5th January* 1816; *distinguishing each Year.*

	VESSELS.	TONS.
Year ending 5th January 1814..	41	2,082
1815	46	1,973
1816..............	36	1,922

An Account of the Number of VESSELS, *with the Amount of their* TONNAGE, *and Number of* MEN *and* BOYS *usually employed in Navigating the same, which belonged to the several Ports of* IRELAND, *on the 30th of September* 1816.

VESSELS.	TONNAGE.	MEN & BOYS.
1,163	60,123	5,551

An Account of the Number of VESSELS, *with the Amount of their* TONNAGE, *&c. that Entered* INWARDS *and Cleared* OUTWARDS, *in the several Ports of* IRELAND, *from or to all Parts of the World, in the Three Years ending 5th January* 1816.

	INWARDS.								
	IRISH.			BRITISH.			FOREIGN.		
Years ending 5th January,	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.
1814	2,092	142,863	9,631	7,503	695,747	39,762	327	62,571	3,477
1815	2,066	142,690	9,282	7,880	707,232	40,379	296	54,755	2,990
1816	2,314	157,283	10,175	7,984	693,107	39,921	501	92,474	5,037
Years ending 5th January,	OUTWARDS.								
1814	1,928	141,232	9,502	7,307	685,407	39,496	320	63,531	3,292
1815	1,937	139,302	9,118	7,690	693,422	40,130	274	50,708	2,617
1816	2,187	153,354	9,917	7,782	684,179	39,259	514	98,115	5,007

V.—PUBLIC EXPENDITURE.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
I. For Interest on the Funded Debt of Ireland, including Annuities for Lives and Terms of Years; also £.1 per Cent. for the Reduction of the Capital created by Loans, since 1797, (A. 1 & 2)...............	6,153,236	3	1¼						
For Charge of Management thereon	-	-		28,441	6	8¼			
There was also applied towards the Reduction of the National Debt...	67,649	1	0						
	6,220,885	4	1¼						
Whereof was applied towards the Reduction of the National Debt...	2,230,350	15	10¾						
Total on account of Interest	3,990,534	8	2½						
Ditto, for Charge of Management ...	28,441	6	8¼						
Ditto, on account of the Reduction of the National Debt	2,230,350	15	10¼	-	-		6,249,326	10	9½
II. For Interest on Exchequer Bills (B.)	-	-		-	-		119,843	15	0
III. Issues for the separate Service of Ireland (C.)	-	-		-	-		9,033,921	2	8
IV. Issues from Appropriated Funds for Local Purposes (D)..............	-	-		-	-		48,802	8	6
V. Civil List	-	-		228,387	4	5			
V. Pensions to the 25th March 1813 ...	-	-		203	0	0			
V. Other Permanent Charges (E)	-	-		272,325	2	9			
							500,915	7	2
VI. Payments in Anticipation of Exchequer Receipts: (F. 1 & 2) viz.									
Bounties from Customs	29,236	5	7¾						
Bounties from Excise	6	10	0						
				29,242	15	7¾			
Militia, Deserters' Warrants, from Excise	35,709	2	4½						
Rewards for Straggling Seamen, from Customs	11	12	11						
				35,720	15	3½			
							64,963	10	11¼
VII. Ordnance, (G.)	-	-		-	-		424,556	12	6½
VIII. Army.—Ordinary Service, (H) viz.									
Regulars, Militia, and Volunteer Corps, &c.	-	-		1,699,265	19	0¾			
Commissariat Establishment	-	-		262,146	3	0¼			
Barracks	-	-		231,099	12	2¼			
Staff Officers & Officers of Garrisons	-	-		91,275	0	8			
Half-Pay, Supernumerary, and Retired Officers	-	-		41,198	11	0			
Officers' Widows	-	-		14,534	14	5¼			
Royal Hospital, Kilmainham	-	-		138,954	19	6¾			
Public Officers, their Deputies, Clerks, and contingent Expenses...	-	-		11,302	4	8½			
Superannuated Officers	-	-		4,416	3	6½			
Disembodied Militia......................	-	-		51,574	0	0			
				2,545,767	8	2¼			
Extraordinary Service...................	-	-		177,715	1	0			
							2,723,482	9	2½
IX. Miscellaneous Services (I.)	-	-		-	-		576,670	14	8½
Lastly, Vote of Credit (K)............	-	-		-	-		54,209	13	9
							19,796,692	5	3¼

(A. 1.)—MONIES *paid out of the Receipt of the Exchequer, in the Year ending the 5th Jan.* 1816, *towards defraying the Charge of the* PUBLIC FUNDED DEBT *of* IRELAND.

	Interest and Annuities for Lives and Terms of Years, &c.			Charge of Management.		
	£.	s.	d.	£.	s.	d.
Interest on the Public Funded Debt of Ireland	6,153,236	3	1¼	28,441	6	8¼
	28,441	6	8¼			
	6,181,677	9	9½			
Annual Issue for the Reduction of the National Debt	67,649	1	0			
	6,249,326	10	9½			

(A. 2.)—*Total Amount of the Sums actually received by the Commissioners for the Reduction of the* NATIONAL DEBT, *in the Year ending the 5th Jan.* 1816.

	In Great Britain.			In Ireland.		
	£.	s.	d.	£.	s.	d.
Annual Issue	-	-		67,649	1	0
Expired Annuities	-	-		54,042	13	8
Appropriation of £.1 per Cent. per Annum on Loans since 1797	1,036,517	1	0	282,187	2	9
Appropriation of £.1 per Cent. on annual Amount of Exchequer Bills	-	-		27,129	3	4
	1,036,517	1	0	431,008	0	9
Interest on Debt of Ireland redeemed	481,632	10	10¾	281,193	3	3
	1,518,149	11	10¾	712,201	4	0
	712,201	4	0			
	2,230,350	15	10¾			

(B.)—*Interest on* EXCHEQUER BILLS, *with the Payments made in the Year from the 5th Jan.* 1815 *to the 5th Jan.* 1816.

	£.	s.	d.
There remained Interest on Exchequer Bills unclaimed on the 5th January 1815	13	2	11
Charge for Interest at £.5 per Cent.			
On £. 293,750 from 25th September 1814 to 25th March 1815, (when paid off)	7,343	15	0
On £. 1,200,000 from 25th December 1814, to 24th June 1815	30,000	0	
On £. 330,000 from 5th January 1815, to 5th July 1815	8,250	0	0
On £. 150,000 from 25th September 1814, to 25th September	7,500	0	0
On £. 235,000 from Do. to Do.	11,750	0	0
On £. 1,200,000 from 24th June 1815 to 24th December	30,000	0	0
On £. 500,000 from 5th January 1815 to 5th January 1816, when paid off	25,000	0	0
	119,856	17	11
Deduct Interest unclaimed on the 5th January 1816	13	2	11
Total Payments for Interest on Exchequer Bills in the Year to the 5th Jan. 1816	119,843	15	0

(C.)—*Payments made in the Year ending the 5th January* 1816, *for the separate Service of* IRELAND.

	£.	s.	d.
For improving Post Roads	55,878	11	2½
On account of the Balance due by Ireland, on the joint Expenditure of the United Kingdom, to the 5th January 1815	6,616,985	9	11½
Lottery Prizes	42	0	0
Principal of Exchequer Bills	2,323,100	0	0
Discount on Prompt Payment of Loan Deposits, &c.	37,915	1	6
	9,033,921	2	8

(D.)—*Payments made from the* FUNDS *appropriated for Local Purposes in* IRELAND, *from the 5th Jan.* 1815, *to the 5th Jan.* 1816.

	£.	s.	d.
Linen Manufacture	1,123	5	7½
Lagan Navigation	800	0	0
Improving Dublin	14,250	0	0
King's Inns	2,294	10	0
Royal Exchange and Commercial Buildings	1,458	1	8½
Light-house Duties	28,876	11	2
	48,802	8	6

(E.)—*Payments made in the Year to the 5th Jan.* 1816, *under the several Heads of—Civil List, Pensions, and other permanent Charges.*

	£.	s.	d.	£.	s.	d.
Arrear on the Civil List on the 5th January 1815	59,202	1	0			
Charge for one Year, to the 25th December 1815	225,000	0	0			
	284,202	1	0			
Deduct Arrear on the 5th January 1816	55,814	16	7	228,387	4	5
Issued for the Civil List, in one Year, to the 5th January 1816	-	-				
Pensions to the 25th March 1813	-	-		203	0	0
Other permanent Charges; viz.						
Public Infirmaries	3,500	0	0			
Public Coal Yards	3,253	14	1½			
Army Baggage	995	5	5			
Police Establishment	24,366	1	2½			
Inspector General of Prisons	33,118	18	11			
Transportation of Felons	15,890	8	7¼			
Fees on Auditing Treasury Accounts	488	13	2¼			
Imprest Office	21,799	9	2¾			
Secret Service in detecting Treasonable Conspiracies	13,917	10	6			
Annuities and Compensation Allowances	100,317	13	11¼			
Judges' Additional Salaries, &c.	42,854	18	3½			
Board of Education	1,957	8	10			
Retired Militia Officers	274	10	0			
Treasury Fee Fund Salaries, &c.	9,590	10	6			
				272,325	2	9
				500,915	7	2

(F. 1.)—BOUNTIES *paid out of the Public Revenue of Customs in the Year ending the 5th of Jan.* 1816, *being Payments in the nature of Anticipation of Exchequer Receipts.*

	£.	s.	d.
On Coarse Linen and Canvass exported	18,883	8	8½
Beef and Pork exported	5,662	14	7
Irish refined Sugar exported	261	8	2
Irish cured Fish exported	8	2	4
Irish Fish Oil exported	179	1	2¼
Bark imported	1	1	8
Fishing Vessels	4,240	9	0
	29,236	5	7¾
Rewards for Straggling Seamen	11	12	11
	29,247	18	6¾

(F. 2.)—*Amount of Payments out of the Revenue of Excise for* BOUNTIES, MILITIA, ARMY *of* RESERVE, DESERTERS' WARRANTS, *&c. in the Year ending the 5th of January* 1816, *being Payments in the nature of Anticipation of Exchequer Receipts.*

	£.	s.	d.
Bounties to Spirit Retailers on Sale of Malt Liquors	6	10	0
Payments for Militia	29,243	5	7½
- - Army of Reserve	243	18	5
- - Deserters' Warrants	1,046	0	0
- - Fortifications	1,041	0	5
Compensation for Spirits Warehoused	4,134	17	11
	35,715	12	4½

(G.)—*Monies paid to the Office of* ORDNANCE *in the Year to the 5th of Jan.* 1816.

	£.	s.	d.
For the Charge of the Office of Ordnance in Ireland	359,826	0	6
For defraying the Expense of Services performed by the Office of Ordnance for Ireland, and not provided for by Parliament in 1814	47,313	6	7
On account of the Pay of retired Officers of the late Irish Artillery, and Engineers, and of Pensions to Widows of deceased Officers of the same for 1815	13,977	17	10¾
Superannuated and retired Allowances to Persons late belonging to the Office of Ordnance in Ireland of a Civil nature; also for the Charge of Widows Pensions for 1815	3,439	7	7¼
	424,556	12	6½

(H.)—*Monies paid on Account of His Majesty's* FORCES *in* IRELAND, *in the Year ending 5th of January* 1816.

				£.	s.	d.
Regiments of the Line	858,635	1	5¼			
Militia	764,887	11	5½			
Volunteer Corps	52,233	12	4			
Military Hospitals, and Royal Military Infirmary	21,951	5	1			
Officiating Clergymen, and retired Chaplains	1,558	8	9			
				1,699,265	19	0¾
Commissariat Establishment				262,146	3	0¼
Barracks				231,099	12	2¼
Staff Officers and Officers of Garrisons				91,275	0	8
Half-Pay, Supernumerary and Retired Officers				41,198	11	0
Officers Widows				14,534	14	5¼
Royal Hospital, Kilmainham				138,954	19	6¾
Public Officers, their Deputies, Clerks, and contingent Expenses				11,302	4	8½
Superannuated Officers				4,416	3	6½
Disembodied Militia				51,574	0	0
				2,545,767	8	2¼
Extraordinary Services				177,715	1	0¼
				2,723,482	9	2½

(I.)—*Payments in the Year ending the 5th of January* 1816, *for* MISCELLANEOUS SERVICES.

	£.	s.	d.
Public Officers for several Services	1,250	0	0
Public Hospitals and Schools	192,971	0	0
Miscellaneous Services	175,493	6	2¾
Public Boards	139,030	0	0
Printing Statutes, to complete £.3,726 5*s.* granted 1814	2,234	11	8
Royal Canal Office of Euquiry, to complete £.882 11*s.* 3*d.* granted 1814	382	11	3
Inland Navigations	65,309	5	6¾
	576,670	14	8½

(K.)—*Payments from the* VOTE OF CREDIT *in the Year ending 5th of Jan.* 1816.

Amount of Payments from the Vote of Credit - - - - - -	£.54,209	13	9

VI.—PUBLIC FUNDED DEBT OF IRELAND.

PUBLIC FUNDED DEBT *of* IRELAND, *as the same stood on the 5th of January* 1816.

	British Currency.			Irish Currency.		
	£.	s.	d.	£.	s.	d.
Sum raised	100,633,233	9	7			
PAYABLE IN DUBLIN:						
£. 3 10s. per Cent. per Annum	-	-	-	17,380,972	17	1
£. 4 per Cent. per Annum	-	-	-	1,150,100	0	0
£. 5 per Cent. per Annum	-	-	-	13,604,848	11	3
PAYABLE IN LONDON:						
£. 5 per Cent. per Annum	1,900,000	0	0	2,058,333	6	8
£. 3 per Cent. Consolidated Annuities	42,087,625	0	0	45,594,927	1	8
£. 3 per Cent. Reduced Annuities	52,768,750	0	0	57,166,145	16	8
£. 4 per Cent. Consolidated Annuities	5,954,375	0	0	6,450,572	18	4
£. 5 per Cent Consolidated Navy Annuities	2,222,000	0	0	2,407,166	13	4
ANNUAL CHARGE:						
Annual Interest	4,898,710	11	8			
Annuities on Lives or Terms of Years	207,406	18	10			
Pursuant to Act 37 Geo. 3, for Redemption of Debt then existing	121,691	14	8			
By Acts providing £. 1 per Cent. for Redemption of Debts created since 1797	1,408,992	3	0			
Management	28,441	6	8¼	Total Principal.		
Total of Annual Expense	6,665,010	14	10¼	145,813,067	5	0

An Account of the Progress made in the REDEMPTION, *of the* PUBLIC DEBT *of* IRELAND, *at the 5th January* 1816.

FUNDS.	CAPITALS.			Redeemed by the Commissioners from 1st January 1797 to 5th January 1816.			Total Sums paid.			Average Prices of Stocks.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
5 per Cents.	15,569,797	18	4	1,852,072	17	3	1,656,308	6	3	89	8	7
4 per Cents.	1,097,100	0	0	294,500	0	0	258,283	18	11	87	14	0
3½ per Cents.	17,380,972	17	1	5,745,958	1	3	4,312,785	17	6	75	1	1
	34,047,870	15	5	7,892,530	18	6	6,227,378	2	8	78	18	0

Sums Annually applicable to the REDUCTION *of the* DEBT, *funded in Irish Securities.*

				£.	s.	d.
Annual Charge, per Act 37 Geo. 3, for Redemption of £.5,829,156 13s. 4d. the Debt then existing				67,649	1	0
Annuities for Years which have expired				54,042	13	8
Annuity of 1 per Cent. on £.28,218,714 2s. 1d. Capitals created from 1st January 1797 to 5th January 1816				282,187	2	9
	£.	s.	d.			
One per Cent. on Treasury Bills, 1815, for Three Months, on £.2,708,750	6,771	17	6			
One per Cent. on Treasury Bills, 1816, for Nine Months £.2,705,000	20,287	10	0			
				27,059	7	6
Interest at 5 per Cent. on £.1,852,072 17s. 3d. Stock redeemed	£.92,603	12	10			
Interest at 4 per Cent. on £.294,500 0s. 0d. Stock redeemed	11,780	0	0			
Interest at 3½ per Cent. on £.5,745,958 1s. 3d. Stock redeemed	201,108	10	8			
				305,492	3	6
TOTAL				736,430	8	5

VII.—UNFUNDED DEBT OF IRELAND.

An Account of the UNFUNDED DEBT *of* IRELAND, *and* DEMANDS OUTSTANDING *on the 5th Day of January* 1816.

	£.	s.	d.	£.	s.	d.
LOAN DEBENTURES:						
Residue of Debentures bearing 4 per Cent. Interest to the Year 1788, provided for by 27 and 28 Geo. 3, but unclaimed by the Proprietors; viz.						
Old Loan	275	0	0			
Loan by Lottery 1780	1,220	0	0			
Loan by Lottery 1781	730	0	0	(a) 2,225	0	0
EXCHEQUER BILLS:						
Outstanding Exchequer Bills, provided for by several Acts of Parliament, but unclaimed by the Proprietors; viz.						
Payable 24 June 1783	8	6	8			
24 June 1790	50	0	0			
24 June 1791	100	0	0			
24 June 1801	50	0	0			
25 March 1803	100	0	0			
25 March 1815	650	0	0	(a) 958	6	8
Exchequer Bills, not in course of Payment:						
Issued pursuant to 52 Geo. 3, c. 70, payable 25 March 1816	150,000	0	0			
53 Geo. 3, c. 61, payable 25 March 1817	235,000	0	0			
55 Geo. 3, c. 40, payable 24 June 1816	1,200,000	0	0			
55 Geo. 3, c. 40, payable 5 Jan. 1817	1,120,000	0	0	(b) 2,705,000	0	0
LOTTERY PRIZES:						
Outstanding Lottery Prizes of the several Lotteries from 1782 to 1801				(a) 25,693	0	0
Total				2,733,876	6	8

(a) Provision has been made for these by several Acts of Parliament.
(b) To be provided for.

VIII.—DISPOSITION OF GRANTS.

An Account showing how the MONIES, *granted for the* SERVICE *of the Year* 1815, *have been disposed of, so far as relates to* IRELAND; *stated in Irish Currency.*

SERVICE.	SUMS Granted.			SUMS Paid.			REMAINS.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Forces	3,771,093	8	11	2,723,482	9	2½	1,047,610	19	8½
Ordnance	424,556	12	6½	424,556	12	6½			
Public Officers for several Services	1,250	0	0	1,250	0	0			
Miscellaneous Services	175,730	15	5	176,493	6	2¾	1,237	9	2¼
Public Boards	173,030	0	0	139,030	0	0	34,000	0	0
Public Hospitals and Schools	192,971	0	0	192,971	0	0			
	4,739,631	16	10½	3,656,783	7	11¾	1,082,848	8	10¾

END OF THE FINANCE ACCOUNTS FOR 1816.

LIST OF PUBLIC ACTS,

Passed in the Fourth Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland.—56 *GEO. III.—A. D.* 1816.

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1. An Act to revive and continue, until the 25th of March 1818, several laws relating to the duties on glass made in Great Britain.
2. To revive and further continue, until the 25th of March 1817, an act of the 7th of George 2nd, for the free importation of cochineal and indigo.
3. For continuing to his majesty certain duties on malt, sugar, tobacco, and snuff, in Great Britain; and on pensions, offices, and personal estates, in England; for the service of the year 1816.
4. For raising the sum of eleven millions, by exchequer bills, for the service of Great Britain, for the year 1816.
5. To extend the powers of an act of the 37th of his present majesty, for enabling his majesty more effectually to grant conditional pardons to persons under sentence of naval courts-martial, and to regulate imprisonment under such sentences.
6. To continue, until the 5th of July 1816, an act of the 54th of his present majesty, for explaining and amending several acts relating to spiritual persons holding of farms, and for enforcing the residence of such persons on their benefices in England.
7. To continue, until the 5th of April 1818, and amend an act of the 48th of his present majesty, for empowering the governor and company of the bank of England, to advance the sum of three millions towards the supply for the service of the year 1808.
8. To continue, until the 5th of July 1817, an act of the 49th of his present majesty, for regulating the trade and commerce to and from the Cape of Good Hope.
9. For charging certain duties on foreign packets or passage-vessels entering or departing any of the ports of Great Britain.
10. For punishing mutiny and desertion; and for the better payment of the army and their quarters.
11. For the regulating of his majesty's royal marine force while on shore.
12. For exhibiting a bill in this present parliament, for naturalizing his serene highness Leopold George Frederick duke of Saxe, margrave of Meissen, landgrave of Thuringuen, prince of Cobourg of Saalfeld.
13. For the naturalization of his serene highness Leopold George Frederick duke of Saxe, margrave of Meissen, landgrave of Thuringuen, prince of Cobourg of Saalfeld; and settling his precedence.
14. For empowering the governor and company of the bank of England, to advance the sum of six millions, towards the supply for the service of the year 1816.
15. To carry into effect a convention of commerce, concluded between his majesty and the United States of America.
16. For better regulating the offices of receivers of crown rents.
17. To continue, until the 5th of July 1821, certain additional duties of excise in Great Britain.
18. To suspend, until the 5th April 1820, the duty on lead exported from Great Britain.
19. To continue, until the 5th of July 1816, an act of the 47th of his present majesty, for granting an additional bounty on double refined sugar exported.
20. To make further provision for the execution of the several acts relating to the revenues, matters and things, under the management of the commissioners of customs and port duties, and of the commissioners of inland excise and taxes in Ireland.
21. To revive and continue, until two years after the expiration of the restrictions upon payments in cash by the bank of England, an act for suspending the operation of an act of the 17th of his present majesty, for restraining the negociation of promissory notes and bills of exchange under a limited sum, in England.
22. For the more effectually detaining in custody Napoleon Buonaparté.
23. For regulating the intercourse with the island of St. Helena, during the time Napoleon Buonaparté shall be detained there; and for indemnifying persons in the cases therein mentioned.
24. For better enabling his majesty to make provision for the establishment of her royal highness the princess Charlotte Augusta, and his serene highness Leopold George Frederick duke of Saxe, margrave of Meissin, landgrave of Thuringuen, prince of Cobourg of Saalfeld.
25. For charging certain duties on the importation of butter.
26. For charging certain duties on the importation of cheese.
27. To amend several laws relative to the transportation of offenders; to continue in force until the 1st of May 1821.
28. To enable the commissioners of his majesty's treasury to issue exchequer bills, on the credit of such aids or supplies as have been or shall be granted by parliament for the service of Great Britain, for the year 1816.

29. To make perpetual certain temporary or war duties of customs, on the importation into Great Britain of goods, wares, and merchandize, and to repeal so much of several acts passed in the 47th, 49th, and 51st of the reign of his present majesty, as charge any loans made for the service of the years 1807, 1809, and 1811, upon the war duties of customs or excise, and to charge such loans on the duties of customs made perpetual.
30. For indemnifying the commissioners of excise in Scotland, and all persons who may have acted under their authority, in relation to certain orders issued and things done relative to certain acts regarding the distilleries in Scotland.
31. For transferring all contracts and securities entered into with or given to the commissioners for transports, to the commissioners of the navy and victualling.
32. For fixing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.
33. To indemnify such persons in the united kingdom as have omitted to qualify themselves for offices and employments, and for extending the time limited for those purposes respectively, until the 25th of March 1817; and to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors to make and file the same on or before the 1st day of Hilary Term 1817.
34. To charge an additional duty on corks, ready made, imported into Great Britain.
35. For the more speedy and effectual collection of the tonnage duty upon ships inwards; for empowering the lords of the treasury to regulate the hours of officers attendance in the port of London; and for permitting ships to commence and complete their loading of coals before the delivery of the fitters certificates.
36. To repeal two acts passed in the reigns of Edward 4th and Richard 3rd, which prohibit the importation of wrought goods and certain other articles.
37. To permit the importation of prunes the produce of Germany.
38. To empower his majesty to suspend the ballot or enrolment for the local militia.
39. To reduce the number of days of muster or exercise of yeomanry and volunteer cavalry.
40. For the further continuing, until the 5th of July 1818, an act of the 44th of his present majesty, to continue the restrictions contained in the several acts of his present majesty, on payments of cash by the bank of England.
41. For raising the sum of 2,470,000*l.* Irish currency, by treasury bills, for the service of Ireland, for the year 1816.
42. For raising the sum of 1,700,000*l.* British currency, by treasury bills, for the service of Ireland, for the year 1816.
43. For making certain allowances of the duties payable on malt and beer.
44. To repeal the duties, allowances, and drawbacks of excise, on hard soap made in Great Britain, and imported from Ireland; and to grant other duties, allowances, and drawbacks in lieu thereof.
45. For defraying the charge of the pay and clothing of the local militia in Great Britain, to the 25th of March 1817.
46. For the better regulation of the civil list.
47. For raising the sum of 1,200,000*l.* Irish currency, by treasury bills, for the service of Ireland, for the year 1816.
48. To continue, until three months after the ceasing of any restriction imposed on the bank of England from issuing cash in payment, the several acts for confirming and continuing the restrictions on payments in cash by the bank of Ireland.
49. To explain and amend an act, passed in the last session of parliament, for the more easy assessing, collecting, and levying of county rates.
50. To regulate the sale of farming stock taken in execution.
51. To amend an act passed in the present session of parliament, intituled ‘An act to ‘carry into Effect a Convention of Com‘merce concluded between his Majesty and ‘the United States of America.’
52. To amend and render more effectual an act passed in the last session of parliament, for enabling spiritual persons to exchange their parsonage houses or glebe lands, and for other purposes therein mentioned.
53. To amend and render more effectual three several acts passed in the 48th, 49th, and 52d of his present majesty, for enabling the commissioners for the reduction of the national debt to grant life annuities.
54. For raising the sum of 13,000,000*l.* by exchequer bills, for the service of Great Britain, for the year 1816.
55. To amend an act of the parliament of Ireland, in the 40th of his present majesty's reign, for granting the sum of 500,000*l.* for promoting inland navigation, and for other purposes therein mentioned; and to enlarge the powers vested in the directors of all works relating to inland navigation in Ireland.
56. To repeal the several stamp duties in Ireland, and also several acts for the collection and management of the said duties, and to grant new stamp duties in lieu thereof; and to make more effectual regulations for collecting and managing the said duties.
57. To grant certain rates, duties, and taxes in Ireland, in respect of fire hearths, windows, male servants, horses, carriages, and dogs, in lieu of former rates, duties, and taxes; and to provide for the more effectual collection of the said rates, duties, and taxes.
58. To repeal an act made in the 51st of his present majesty, for allowing the manufac-

ture and use of a liquor prepared from sugar for colouring porter.

59. To reduce the duty of excise on malt made in Ireland, and certain countervailing duties and drawbacks in respect thereof.

60. To authorize the transferring stock upon which dividends shall remain unclaimed for the space of at least ten years at the bank of England, and also all lottery prizes or benefits, and balances of sums issued for paying the principals of stocks or annuities, which shall not have been demanded for the same period, to the commissioners for the reduction of the national debt.

61. For granting to his majesty a sum of money to be raised by lotteries.

62. For erecting a harbour for ships to the eastward of Dunleary, within the port of Dublin.

63. To regulate the general penitentiary for convicts, at Millbank, in the county of Middlesex.

64. To repeal several acts relating to the militia of Great Britain, and to amend other acts relating thereto.

65. To explain and amend the acts for granting duties on the profits arising from property, professions, trades, and offices, so far as extend to the due assessment and collection of the duties for past years; for confirming certain abatements already made of the said duties, and exempting collectors bonds from the stamp duties.

66. For reducing the duties payable on horses, used for the purposes therein mentioned, for two years; and for repealing the acts granting allowances in respect of children.

67. To enable such officers, mariners, and soldiers, as have been in the land or sea service, or in the marines, or in the militia, or any corps of fencible men, since the 42d of his present majesty's reign, to exercise trades.

68. To provide for a new silver coinage, and to regulate the currency of the gold and silver coin of this realm.

69. To continue, until the 25th of March 1818, two acts of the 54th of his present majesty, for repealing the duties of customs on madder imported into Great Britain, and for granting other duties in lieu thereof.

70. To alter and amend several acts relating to the redemption of the national debt of Ireland, and to make further provision in respect thereof.

71. To amend an act of the 51st of his present majesty's reign, for discharging certain arrears of quit, crown, and composition rents in Ireland.

72. To continue and amend so much of an act of the 43d of his present majesty's reign, for authorizing the billetting and subjecting to military discipline certain yeomanry corps, and officers of cavalry or infantry, as relates to such corps in Ireland.

73. For removing difficulties in the conviction of offenders stealing property from mines.

74. For the purchase of certain lands, tenements, and hereditaments at Sheerness and Chatham, in the county of Kent, for the use of the navy.

75. To repeal the duties of customs upon the importation into the united kingdom of rape seed and cole seed, and to grant other duties in lieu thereof.

76. For repealing the several bounties on the exportation of refined sugar, from any part of the united kingdom, and for allowing other bounties in lieu thereof, until the 5th day of July 1818.

77. To repeal certain duties granted by an act passed in the last session of parliament, for repealing the provisions of former acts granting exclusive privileges of trade to the South Sea Company.

78. For the better regulating and securing the collection of the duties on paper in Ireland, and to prevent frauds therein.

79. For repealing the duties of customs on rape seed cakes, linseed cakes, bones of cattle and other animals, and of fish, except whale fins, imported into Great Britain; and for granting other duties in lieu thereof.

80. To enable the principal officers and commissioners of his majesty's navy resident on foreign stations to grant certificates of stores or goods, which may be sold by such officers or commissioners at such foreign stations.

81. To alter the period during which manufacturers of oil of vitriol are to deliver in their accounts.

82. To render valid the judicial acts of surrogates of vice-admiralty courts abroad, during vacancies in office of judges of such courts.

83. For regulating the carrying of passengers to and from the island of Newfoundland and coast of Labrador.

84. For the better accommodation of his majesty's packets within the harbour of Holyhead, in the island of Anglesea; and for the better regulation of the shipping therein.

85. To make further regulations for securing the collection of the duties of customs and excise in Ireland, and for the importation into Ireland of American staves, and of old plate and books from Great Britain.

86. For establishing regulations respecting aliens arriving in or resident in this kingdom, in certain cases, for two years from the passing of this act, and until the end of the session of parliament in which the said two years shall expire, if parliament shall be then sitting.

87. To regulate proceedings of grand juries in Ireland, upon bills of Indictment.

88. To amend the law of Ireland, respecting the recovery of tenements from absconding, overholding, and defaulting tenants; and for the protection of the tenant from undue distress.

89. To provide for the charge of certain ad-

ditions to the public debt of Ireland, for the service of the year 1816.

90. To defray the charge of the pay, clothing, and contingent expenses of the disembodied militia in Great Britain, and of the miners of Cornwall and Devon; and for granting allowances, in certain cases, to subaltern officers, adjutants, surgeons mates, and serjeant-majors of militia, until the 25th of March 1817.

91. To regulate the trade of the colonies of Demerara, Berbice, and Essequibo; to allow the importation into, and exportation from, such colonies, of certain articles, by Dutch proprietors of the European dominions of his majesty the king of the Netherlands; and to repeal an act of the 54th of his present majesty, for permitting a trade between the United Provinces and certain colonies in his majesty's possession

92. To enable his majesty to authorize the exportation of the machinery necessary for erecting a mint in the united states of America.

93. For enabling the officers of the customs at creeks, harbours, and basins of Great Britain, to take entries of ships and goods arriving from and bound to Ireland.

94. To allow makers of oxygenated muriatic acid, to take crushed rock salt, duty free, for making such acid, or oxymuriate of lime for bleaching linen and cotton.

95. To authorize such person as his majesty shall appoint to transfer a certain sum in three pounds per cent. reduced annuities, now standing in the name of the dissolved college of Hertford, in the university of Oxford; and also to receive dividends due upon such annuities.

96. For establishing an agreement with the governor and company of the bank of England, for advancing the sum of three millions, for the service of the year 1816.

97. To authorize the advancing, for the public service, a proportion of the balance that shall remain from time to time in the bank of England for the payment of dividends on account of the public debt, for lottery prizes or benefits not claimed, and principals of stocks and annuities remaining unclaimed.

98. To unite and consolidate into one fund all the public revenues of Great Britain and Ireland, and to provide for the application thereof to the general service of the united kingdom.

99. To vest the Elgin collection of ancient marbles and sculpture in the trustees of the British museum for the use of the public.

100. For more effectually securing the liberty of the subject.

101. For enabling the officers in his majesty's navy, and their representatives, to draw for and receive their half-pay, and for transferring the duty of making certain payments from the clerks of the cheque at his majesty's dock-yards to the clerks of the treasurer of the navy at the same yards.

102. To amend the act of the 53rd of his present majesty, intituled, 'An Act for the 'Relief of Insolvent Debtors in England;' and to give further powers to the court appointed by the said act.

103. For further securing the duties on paper and pasteboard; and for repealing the countervailing duty upon pasteboard imported from Ireland, and the drawback upon pasteboard exported; and granting other countervailing duties and drawbacks in lieu thereof.

104. For the making more effectual provision for the prevention of smuggling, and rewarding officers and persons making seizures and capturing smuggling vessels; for licensing luggers employed in the North Sea fishery; and obliging exporters of exciseable goods on drawback to give notice of shipment.

105. To amend and continue, until the end of the next session of parliament, an act of the 54th of his present majesty, for regulating the trade in spirits between Great Britain and Ireland reciprocally, and to grant and allow new countervailing duties and drawbacks on spirits imported and exported between England and Scotland and Ireland respectively.

106. To repeal the duties payable in Scotland upon wash and spirits, and distillers licences, to grant other duties in lieu thereof, and to establish further regulations for the distillation of spirits from corn for home consumption in Scotland, until the 10th of November 1818.

107. To amend an act of the last session of parliament relating to stamp duties in Great Britain, so far as relates to inventories to be exhibited and recorded in any commissary court in Scotland.

108. To repeal certain drawbacks and countervailing duties of excise on beer and malt; to alter the drawbacks on plate glass, and to prevent frauds therein.

109. To continue, until the 5th of July 1817, an act of the 46th of his present majesty, for granting an additional bounty on the exportation of the silk manufactures of Great Britain.

110. For the further regulation of the trades of tanners and curriers.

111. To repeal part of the duty on spirits distilled in Ireland, to reduce the drawback on such spirits exported to foreign parts, and to make further regulations for the collection of the said duties, and the duties on licences for retailing spirituous and other liquors in Ireland.

112. To make certain provisions for modifying the several acts for imposing and levying of fines, in respect of unlawful distillation of spirits in Ireland.

113. For repealing the duties payable for licences for retailing beer, ale, cyder, perry,

or spirits in Great Britain, and for imposing other duties in lieu thereof.

114. To regulate the conveyance of passengers from the united kingdom to the united states of America, in British vessels.

115. For ratifying the purchase of the Claremont estate, and for settling the same as a residence for her royal highness the princess Charlotte Augusta and his serene highness Leopold George Frederick prince of Cobourg of Saalfeld.

116. To explain and amend an act, passed in the 55th of the reign of his present majesty, intituled, 'An Act for the Abolition of gaol 'and other fees connected with the gaols 'in England.'

117. To amend an act passed in the 39th and 40th of the reign of his present majesty, for the safe custody of insane persons charged with offences.

118. For admitting oil and blubber from the British colonies in North America, upon payment of the like duty as oil and blubber from Newfoundland.

119. To explain and amend an act passed in the present session of parliament for punishing mutiny and desertion, in relation to the transportation of offenders.

120. To procure annual returns of persons committed, tried, and convicted for criminal offences and misdemeanors in Ireland.

121. For defraying, until the 25th of June, 1817, the charge of the pay and clothing of the militia of Ireland, and for making allowances in certain cases to subaltern officers of the said militia during peace.

122. To make provision for securing, for a time to be limited, the profits of the office of clerk of the pleas of his majesty's court of exchequer in Ireland.

123. To continue, until the 5th of April, 1817, an act of the 54th of his present majesty, for explaining and amending several acts relating to spiritual persons holding of farms, and for enforcing the residence of such persons on their benefices in England.

124. To continue, until the 1st of August, 1817, two acts of the 50th and 55th of his present majesty, allowing the bringing of coals, culm, and cinders, to London and Westminster.

125. For the more effectual punishment of persons riotously destroying or damaging buildings, engines, and machinery, used in and about collieries and other mines, waggon ways, bridges, and other works, used in conveying and shipping coals and other minerals; and for enabling the owners of such property to recover damages for the injury sustained.

126. To amend an act of the 53rd of his present majesty, for the relief of insolvent debtors in Ireland.

127. To reduce the duty on the exportation from Great Britain of small coals of a certain description.

128. To amend two acts made in the 53rd of the reign of his present majesty, for opening a more convenient communication from Mary le bone Park to Charing-cross, and for paving the streets to be made in Mary-le-bone Park, and to enable his majesty to grant small portions of land as sites for public buildings, or to be used as cemeteries, within the bills of mortality.

129. To repeal certain provisions in local acts for the maintenance and management of the poor.

130. To repeal an act made in the 39th and 40th of his present majesty's reign, intituled, "An Act to extend the provisions of an Act made in the 17th of the reign of king George the Second, intituled, 'An Act to amend and make more effec-'tual the laws relating to rogues, vaga-'bonds, and other idle and disorderly 'persons, and to houses of correction,'" and to make other provisions in lieu thereof.

131. To revive and continue, until the 15th of June, 1817, an act of the 52nd of his present majesty, for the more effectual preservation of the peace, by enforcing the duties of watching and warding.

132. For enlarging the time for making the award respecting his majesty's allotments under an act of the 53rd of his present majesty, for inclosing Windsor Forest; and for extending the provisions of the said act.

133. For making provision to defray the annual charge of any loan of this session of parliament.

134. For allowing a drawback of the duty on coals consumed in lead mines in Cornwall.

135. For authorizing the barons of the court of exchequer in Scotland, to order the payment of a certain sum of money, to be applied in completing the Crinan-canal.

136. To enable his majesty to grant certain lands, tenements, and hereditaments, escheated and devolved to his majesty by the dissolution of Hertford college, in the university of Oxford, and the site of the said college and buildings thereon, to the chancellor, masters, and scholars of the said university, in trust for the principal and other members of Magdalen-hall, for the purpose of their removing to such site; and to enable the said chancellor, masters, and scholars of the said university, and the president and scholars of Saint Mary Magdalen college, to do all necessary acts for such removal.

137. To extend the provisions of an act of the 1st of the reign of James 1st, intituled, 'An Act for the better relief of the 'creditors against such as shall become 'bankrupts.'

138. To abolish the punishment of the pillory, except in certain cases.

139. To regulate the binding of parish apprentices.

140. For establishing the use of an hydrometer, called Sikes's hydrometer, in ascertaining the strength of spirits, instead of Clarke's hydrometer.

141. For enabling ecclesiastical corporate bodies, under certain circumstances, to alienate lands for enlarging cemeteries or church-yards.

142. For granting to his majesty a certain sum out of the consolidated fund of Great Britain, and for applying certain monies therein mentioned for the service of the year 1816, and for further appropriating the supplies granted in this session of parliament.

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